ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ –೧೬೧	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೩೦, ಜುಲೈ, ೨೦೨೬ (ಶ್ರಾವಣ, ೦೮, ಶಕವರ್ಷ, ೧೯೪೮)	ಸಂಚಿಕೆ ೧೪೮
Volume - 161	BENGALURU, THURSDAY, 30, JULY, 2026 (SHRAVANA , 08, SHAKAVARSHA, 1948)	Issue 148

ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 21 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 22.07.2026.

ದಿನಾಂಕ: 23.06.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2026ನ GSR 511(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 23rd June, 2026

G.S.R. 511(E).— Whereas a draft of the Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2025 was published, as required under sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) *vide* notification number G.S.R. 614(E), dated the 10th September, 2025, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And whereas, copies of the said Official Gazette were made available to the public on the 12th September, 2025;

And whereas, the said period was extended to the 21st October, 2025, and comments and suggestions received in that period in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (a) of sub-section (2) of section 56 read with clause (a) of sub-section (1) and sub-section (6) of section 3 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Telecommunications Act, 2023 (44 of 2023);

(b) "captive general services" means the telecommunication services referred to in rule 58;

(c) "captive general service authorisation" means the authorisation to provide captive general services;

(d) "captive mobile radio trunking services" means a type of land mobile service for captive use that enables two-way telecommunication amongst users, using a pair of radio frequencies, allocated temporarily for duration of the call, from a designated spectrum band assigned to a repeater station, and the expression "captive mobile radio trunking service network" shall be construed accordingly;

(e) "captive mobile radio trunking service authorisation" means an authorisation to provide captive mobile radio trunking services;

(f) "captive non-public network service authorisation" means an authorisation to provide captive non-public network;

(g) "captive telecommunication services" means the telecommunication services specified under rule 4;

(h) "captive very small aperture terminal services" means the telecommunication services referred to in sub-rule (1) of rule 50;

(i) "captive very small aperture terminal service authorisation" means an authorisation to provide captive very small aperture terminal services;

(j) "designated agency" means any person designated as such by the Central Government for the purposes of the rule under which he is designated;

(k) "letter of intent" means the letter issued under sub-rule (2) of rule 7;

(l) "new authorised entity", means an authorised entity that has—

(i) obtained an authorisation under sub-section (1) of section 3 of the Act; or

(ii) migrated to the terms and conditions of an authorisation under sub-section (6) of section 3 of the Act;

(m) "overlapping license or authorisation" means the license or authorisation held by an applicant, the scope and service area of which would be covered in its entirety within the scope and service area of the authorisation in respect of which an application is submitted under rule 6;

(n) "portal" means the portal referred to in rule 62;

(o) "Schedule" means the schedule annexed to these rules; and

(p) "service area" means the geographical area in respect of which authorisation for provision of telecommunication services is granted, which may be national service area or a geographical area within the national service area.

(2) Words and expressions used in these rules and not defined herein but defined in the Act or the rules made thereunder shall have the meanings respectively assigned to them in the Act or the said rules.

3. Application.—(1) These rules provide for the terms and conditions of authorisation, which shall apply to the following, namely:—

(a) authorisation for providing captive telecommunication services under sub-section (1) of section 3 of the Act; and

(b) the relevant authorisation to the terms and conditions of which a new authorised entity has migrated to under sub-section (6) of section 3 of the Act.

(2) Without prejudice to the provisions of sub-rule (1), the provisions of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), and the rules and regulations made thereunder shall continue to apply in respect of a new authorised entity.

CHAPTER II

CAPTIVE TELECOMMUNICATION SERVICES AND GRANT OF AUTHORISATION

4**. Captive telecommunication services.—**Any person intending to provide any of the following telecommunication services (hereinafter referred to as "captive telecommunication services") may apply to the Central Government under rule 6 to obtain authorisation to provide such services, in respect of the service area specified for the same, namely:—

(a) captive mobile radio trunking services for a geographical area within the national service area; or

(b) captive non-public network for the national service area; or

(c) captive very small aperture terminal services for national service area; or

(d) captive general services for a geographical area within the national service area.

5. Eligibility.—A person specified in clause (a) or (b), who also fulfils the condition specified in clause (c), shall be eligible to apply for authorisation under rule 6, namely:—

(a) it is a company—

(i) in which foreign direct investment, if any, is in conformity with the policy issued by the Government of India from time to time in respect of foreign direct investment and applicable law; and

(ii) the general character of whose management is sound in terms of its track record in providing telecommunication services or in establishing, operating, maintaining or expanding telecommunication networks in a responsible manner;

(b) it is—

(i) a Central Government Department;

(ii) a State Government Department;

(iii) a legislative body or its offices;

(iv) a Court;

(v) an administration of any Scheduled Areas or Scheduled Tribal Areas or any agency or autonomous organisation of such administration; or

(vi) any other Government-controlled entity;

(c) it has no pending dues:

Provided that if a person is applying to obtain captive general service authorisation, it shall not be a private limited company or a company other than a government company:

Provided further that the Central Government may, if it is satisfied that it is necessary in public interest so to do, exempt or relax any condition under this rule.

***Explanation*.—**For the purposes of this rule, the expressions—

(a) "Court" means—

(i) a court of law; and

(ii) other adjudicatory body, established by or under the Constitution or any law for the time being in force in the whole or any part of India,

and includes the registry, secretariat or office thereof;

(b) "government company" shall have the same meaning as assigned to it in the Companies Act, 2013 (18 of 2013);

(c) "other Government-controlled entity" means a body, whether incorporated or not, which is under the overall control of a Central Government Department or a State Government Department, and includes—

(i) an autonomous body; and

(ii) a not-for-profit government company.

6. Application for authorisation.—(1) A person intending to obtain an authorisation under these rules shall submit an application on the portal, in such form, manner and accompanied by such documents as specified therein.

(2) Every application under sub-rule (1) shall be accompanied by—

(a) a non-refundable processing fee as specified in Schedule; and

(b) in case of a company, a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as may be specified on the portal, certifying that it meets the eligibility criteria under rule 5.

(3) If the applicant holds any overlapping license or authorisation, it shall relinquish such existing overlapping license or authorisation as required under these rules.

(4) If the pending dues referred to in clause (c) of rule 5 are subject to ongoing legal proceedings in which there is a judicial order injuncting payment of such dues, the applicant shall—

(a) comply with the conditions that may have been imposed in such order; and

(b) submit an undertaking to make payments, with interest thereon, subject to the outcome of such proceedings,

and submit with its application a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying compliance with this sub-rule.

(5) Any application made for grant of a license or letter of intent for grant of a license that may have been issued under the Indian Telegraph Act, 1885 (13 of 1885), prior to the commencement of these rules, shall lapse if the license under the said Act pursuant to such application or letter of intent had not been issued prior to commencement of these rules.

(6) An applicant to whom a letter of intent has lapsed under sub-rule (5) may make an application for grant of authorisation under sub-rule (1):

Provided that any non-refundable processing fee or entry fee paid or bank guarantee furnished pursuant to such letter of intent may be reckoned towards fulfilment of any requirement under these rules as to payment of any processing fee or entry fee or submission of guarantee required under these rules, as the case may be, while paying or submitting fee or guarantee to the extent of shortfall, if any, after adjusting the amount paid or submitted previously.

7. Grant of authorisation.—(1) On receipt of an application under rule 6, the Central Government may, make such inquiry as it deems fit regarding the eligibility of the applicant and, for this purpose, require the applicant to furnish such information as it may call for.

(2) The Central Government may,—

(a) if it is satisfied that the applicant is eligible, issue a letter of intent to such applicant through the portal, specifying the requirements to be fulfilled for obtaining authorisation, including—

(i) payment of entry fee and submission of an unconditional and irrevocable guarantee for such authorisation of an amount specified in Schedule or for an amount in accordance with sub-rule (6) of rule 6, as the case may be; and

(ii) submission of an unconditional and irrevocable undertaking in such form and manner as specified on the portal, relinquishing the overlapping license or authorisation, if any, from the effective date of authorisation:

Provided that the applicant seeking authorisation in respect of captive mobile radio trunking services for services including police, fire or government security services, or any Central Government Department seeking to obtain authorisation for captive very small aperture terminal services shall be exempted from the requirement of submission of any guarantee under sub-clause (i) of clause (a); or

(b) reject the application.

(3) On being satisfied that the requirements specified in the letter of intent are fulfilled by the applicant, the Central Government may grant an authorisation through the portal while specifying, among other things,—

(a) its scope;

(b) the service area and the duration for which the authorisation is granted; and

(c) effective date of authorisation:

Provided that—

(i) the Central Government may, in respect of applications for obtaining authorisation for captive very small aperture terminal services, undertake security vetting through the appropriate authority responsible for satellite network clearance as it may deem fit, prior to grant of authorisation; and

(ii) the authorisations for captive non-public network and captive general services shall be granted to eligible applicants without any prior issuance of a letter of intent.

(4) Each authorisation granted under these rules shall be on a non-exclusive basis and additional authorisations for same captive telecommunication services may be granted by the Central Government within the same or other service area without any restriction on the number of new authorised entities.

(5) Every new authorised entity that has been granted authorisation under these rules may apply for assignment of spectrum under applicable law, subject to meeting any eligibility conditions for such assignment under such law.

Explanation.—For the removal of doubts, it is clarified that grant of authorisation under these rules shall not be construed as conferring any right to the assignment or use of spectrum on the new authorised entity.

8. Overlapping license or authorisation.—(1) A new authorised entity shall not be permitted to hold any overlapping license or authorisation.

(2) The relinquishment of an overlapping license or authorisation, if any, shall be without prejudice to any rights and liabilities arising from such license or authorisation, as the case may be, and in particular, shall not affect the following, namely:—

(a) rollout obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such overlapping license or authorisation, shall remain applicable under the terms and conditions thereof, even after the relinquishment, as the case may be; and

(b) the resource provided and permission given by the Central Government with respect to such overlapping license or authorisation, shall continue to apply in accordance with the terms on which it was obtained, unless the Central Government determines otherwise in public interest.

***Explanation*.—**For the purpose of clause (b), the expressions—

1. "resource" means—

   (a) the telecommunication identifiers already allocated;

   (b) spectrum assigned to the new authorised entity;

   (c) certificate of compliance held by the new authorised entity in respect of the overlapping license or authorisation; and

2. "permission" includes coverage test certificates as a part of compliance of roll-out obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the new authorised entity, and other permissions including for remote access and gateway permissions.

CHAPTER III

GENERAL CONDITIONS

9. Duration of authorisation.—The duration of each authorisation granted under rule 7 shall be such as is specified under the said rule, subject to a maximum of twenty years and the provisions of rules 14, 15 and 61.

10. Continuing adherence to eligibility conditions.— Every new authorised entity shall, throughout the duration of authorisation, adhere to the conditions specified under rule 5.

11. Reporting and disclosure obligations.—(1) Every new authorised entity shall—

(a) submit the following to the Central Government every year, on such date and accompanied by a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form and manner as specified on the portal, certifying—

(i) the details of its Indian and foreign equity, both direct and indirect;

(ii) the details of persons having control over it; and

(iii) compliance with rule 10:

Provided that the Central Government may exempt new authorised entities that have turnover not exceeding such amount as may be specified on the portal from the requirement to make such submission.

Explanation.—For the purposes of sub-clause (i), direct and indirect foreign equity shall be determined in accordance with the policy issued by the Government of India from time to time in respect of foreign direct investment;

(b) report any change in respect of the following to the Central Government on the portal, namely:—

(i) change in its shareholders resulting from an acquisition, which shall be reported within fifteen days from the date of such change:

Provided that in relation to a new authorised entity that is listed on the stock exchange, only such change in shareholdings as is required to be disclosed under the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 made under the Securities and Exchange Board of India Act, 1992 (15 of 1992) or the bye-laws or listing conditions of the stock exchange concerned, shall be required to be reported under this sub-clause;

(ii) change in the name under which it has been registered under the Companies Act, 2013 (18 of 2013) accompanied by certified copy of the certificate of such registration, which shall be reported within thirty days from the date of issue of such certificate; and

(iii) change in its details, including in respect of foreign equity, control, address and contact details and any other such material change in the details, submitted previously, which shall be reported within fifteen days of such change; and

(c) furnish to the Central Government such documents, accounts, estimates, returns, reports or other information as the Central Government may require such new authorised entity to furnish, which shall be furnished within such period as the Central Government may specify.

(2) Every new authorised entity shall nominate and communicate to the Central Government and the designated agency, in such form and manner as specified on the portal, the details of a nodal person of such new authorised entity, based in India, who shall be responsible for providing any report or information or extending support as required under these rules.

(3) If there is admission of an application for initiation of corporate insolvency resolution process against a new authorised entity under the Insolvency and Bankruptcy Code, 2016 (31 of 2016), such new authorised entity shall—

(a) within forty-eight hours of such admission, inform the Central Government in this regard in writing; and

(b) forthwith furnish to the Central Government, a copy of the Order of the National Company Law Tribunal admitting such application.

12. Transfer.—(1) An authorisation may be assigned or transferred only with previous approval of the Central Government in writing, pursuant to a merger, demerger, acquisition or other form of restructuring under applicable law.

(2) Save as provided in sub-rule (1), a new authorised entity shall not—

(a) assign or transfer, in any manner whatsoever, directly or indirectly, in whole or in part, any authorisation granted to it;

(b) enter into any partnership or agreement for such assignment or transfer; or

(c) create any interest in such authorisation in favour of a third party.

13. Renewal.—(1) Every new authorised entity may submit an application for renewal of authorisation, in such form and manner as specified on the portal, at least twelve months prior to the expiry of the authorisation, accompanied by the processing fee as specified in the Schedule.

(2) On receipt of a written request from the new authorised entity, the Central Government may permit an application after the period specified in sub-rule (1), if it is satisfied that there was sufficient cause for not making such application within such period, subject to payment of such late fees as the Central Government may decide in response to such request.

(3) The Central Government may, on receipt of an application under sub-rules (1) or (2), renew the authorisation for such period as may be decided by the Central Government, subject to a maximum of twenty years.

(4) Every renewal of authorisation under sub-rule (3) shall be subject to the applicable law at the time of such renewal.

14. Revocation of authorisation.—(1) The Central Government may, without prejudice to any action that may be taken under section 21 of the Act, by order, revoke an authorisation in the following circumstances, namely:—

(a) if, at any stage it is found that any of the representations, submissions or documents that had been provided by a new authorised entity with or during the processing of an application for authorisation were false;

(b) if, a new authorised entity is directed to be placed into liquidation or is ordered to be wound up; or

(c) if, the Telecom Regulatory Authority of India, in accordance with the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), recommends revocation of authorisation.

(2) Prior to issuing any order under sub-rule (1) on occurrence of any event specified in clauses (a) and (c) of sub-rule (1), the Central Government shall give an opportunity of being heard to the new authorised entity referred to in sub-rule (1).

(3) Every order under sub-rule (1) shall be published by the Central Government on the portal and be effective from the thirty-first day from the date of publishing of such order.

15. Surrender of authorisation.—(1) A new authorised entity seeking to surrender an authorisation, shall submit an application, in such form and manner as specified on the portal, accompanied by an undertaking and other information as may be specified on the portal.

(2) The Central Government may, approve or reject an application submitted under sub-rule (1), and if approved, the effective date of surrender shall be the thirty-first day from the date of approval of such application.

(3) The details relating to the authorisation that is surrendered by the new authorised entity shall be published by the Central Government on the portal.

(4) Every new authorised entity surrendering its authorisation under this rule shall not be entitled to refund of any fees or charges paid in respect of, or under such authorisation.

(5) Every new authorised entity shall pay all amounts due and payable to the Central Government till the effective date of surrender referred to in sub-rule (2), including in respect of authorisation fees.

16. Actions pursuant to revocation, surrender or expiry of authorisation.—On revocation, surrender or expiry of the authorisation held by a new authorised entity,—

(a) the spectrum assigned in respect of such authorisation, if any, to such entity shall stand withdrawn from the effective date of such revocation, surrender or expiry; and

(b) such entity shall manage its radio equipment in accordance with applicable law.

17. Consequence of migration.—(1) If a new authorised entity submits an application for migration under the Telecommunications (Terms and Conditions for Migration) Rules, 2026, the relinquishment of any overlapping authorisation of such new authorised entity shall become effective on the effective date of such migration.

(2) The relinquishment of the overlapping authorisation shall be without prejudice to rights and liabilities arising from such overlapping authorisation, which shall remain applicable in accordance with the Telecommunications (Terms and Conditions for Migration) Rules, 2026.

18. Set off.—(1) The Central Government may adjust or set off any amounts payable by a new authorised entity to the Central Government against any amount payable by it to such new authorised entity, whether such amount is presently due or may become due at any time in future, including any amount arising from the encashment, claim or appropriation of the guarantee.

(2) The Central Government shall, subsequent to any action taken under sub-rule (1), inform the new authorised entity of such set-off.

19. Recovery of dues.—Without prejudice to other modes of recovery, any amount due to the Central Government by a new authorised entity, if not paid, shall be recovered as an arrear of land revenue.

20. Power to call for information.—The Central Government may, for the purposes of giving effect to these rules, require a new authorised entity to furnish such information as it may call for.

21. Power to relax.—Where the Central Government considers it necessary or expedient so to do, on a request made by a new authorised entity or otherwise, on occurrence of a natural calamity or any event which in its opinion has prevented such new authorised entity or class of similarly situated new authorised entities from performance of any of its obligations under these rules, by order and for reasons to be recorded in writing, relax such performance for such period and subject to such terms and conditions as it may decide.

22. Power to issue orders, directions or guidelines.—The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules, which shall constitute the terms and conditions applicable to every new authorised entity.

CHAPTER IV

TECHNICAL AND OPERATING CONDITIONS

23. Telecommunication network.—(1) Every new authorised entity that holds an authorisation under these rules, while conforming with the scope of such authorisation, may establish, operate, maintain or expand telecommunication network and may also possess radio equipment, without requiring separate authorisation under clauses (b) or (c) of sub-section (1) of section 3 of the Act:

Provided that in respect of assignment and use of spectrum, sub-rule (5) of rule 7 shall apply.

(2) Every new authorised entity shall establish, operate, maintain or expand the telecommunication network for captive use of telecommunication services pursuant to its authorisation in accordance with the Act and rules made thereunder, and shall ensure that such telecommunication equipment, telecommunication network and captive telecommunication services are in conformity with applicable standards and conformity assessment measures, that the Central Government may notify under section 19 of the Act.

(3) Every new authorised entity shall furnish technical details of captive telecommunication services and the telecommunication network being used for such captive telecommunication services, including the details of technology deployed by it to the Central Government or the designated agency, at such times as may be required pursuant to any direction issued by the Central Government in this regard.

(4) Every new authorised entity shall make its own arrangements, including in respect of right of way, for establishing telecommunication networks and shall be solely responsible for the establishment, maintenance, operation, expansion and commissioning of necessary infrastructure, telecommunication equipment and systems, and all aspects of its telecommunication network:

Provided that such new authorised entity may take telecommunication network, passive telecommunication infrastructure or telecommunication resources, as the case may be, on mutually agreed terms from other new authorised entities or licensees.

(5) The non-availability of right of way or delays in obtaining right of way permission by the new authorised entity shall not be a cause or ground for non-fulfilment of the roll-out obligations or non-compliance with any other obligations under these rules.

(6) Every new authorised entity shall adhere to orders, directions or guidelines that the Central Government may issue in respect of the following, namely:—

(a) deployment of energy efficient telecommunication equipment; and

(b) preferential market access for procurement of indigenously manufactured telecommunication equipment.

24. Location of telecommunication network elements.—(1) Every new authorised entity shall, prior to establishment or expansion of telecommunication network in security sensitive areas as may be specified by the Central Government, apply to the Central Government on the portal, for its approval.

(2) The Central Government may specify restrictions on the use of captive telecommunication services in restricted areas falling near the international borders of the territory of India, the Line of Control, the Line of Actual Control of India or any other areas as may be specified on the portal.

(3) Every new authorised entity shall ensure that all systems of its telecommunication network are located within its service area of authorisations.

(4) Every new authorised entity shall ensure that all data, logs and information associated with its telecommunication network shall be stored within India and no copies of such data, logs and information shall be routed, shared or made available outside India.

25. Sharing of telecommunication network and infrastructure.— Every new authorised entity that holds different authorisations under these rules may share its passive telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network.

26. Commencement of captive telecommunication services.—Every new authorised entity shall intimate to the Central Government, the date of commencement of provision of captive telecommunication service within fifteen days of such commencement.

27. Right to inspect and undertake assessments.—(1) The Central Government may, for the purposes of monitoring compliance with these rules, after issuing a reasonable notice to the new authorised entity—

(a) access and inspect the sites where telecommunication equipment and telecommunication network are established;

(b) audit processes or systems established by such new authorised entity for compliance of these rules:

Provided that no notice shall be provided to that new authorised entity if the Central Government considers that immediate action is necessary or expedient in public interest:

Provided further that the Central Government may appoint a designated agency to audit processes or systems established by that new authorised entity for compliance of these rules, on such charges that the Central Government may determine, which shall be payable by that new authorised entity:

Provided also that such designated agency shall not collect nor require the disclosure of any information, the disclosure of which may harm the competitive position of any user or the new authorised entity, including any confidential data, commercially price sensitive data, trade secrets, intellectual property, or information covered by fiduciary relationship from the telecommunication network or premises of that new authorised entity or user:

Provided also that if the Central Government considers the collection of information of new authorised entity that is covered by the third proviso is necessary for arriving at the findings of the audit, then it may direct the designated agency to collect such data and the decision of the Central Government in this regard shall be final.

(2) Every new authorised entity shall provide the necessary facilities and support to facilitate the audit and inspection as required under sub-rule (1).

CHAPTER V

SECURITY CONDITIONS

28. Management of new authorised entity.—(1) Every new authorised entity shall ensure the following, namely:—

(a) majority of directors on the board of such new authorised entity shall be Indian citizens;

(b) the chief officer in charge of telecommunication network, security and system administrators of such new authorised entity shall be resident Indian citizens.

(2) Every new authorised entity shall ensure security vetting of any foreign nationals by the Ministry of Home Affairs in the Government of India—

(a) prior to the appointment of such foreign nationals to the positions of the chairman, managing director, chief executive officer or chief financial officer, and such security vetting shall be done on an annual basis for the duration of such appointment; and

(b) prior to the deployment of such foreign national for the establishment operation, maintenance or expansion of its telecommunication network.

(3) Every new authorised entity shall apply for the security vetting provided in sub-rule (2), in accordance with the orders, directions or guidelines issued by the Central Government, and the decision of the Ministry of Home Affairs in the Government of India in this regard shall be binding on such new authorised entity.

29. Maintenance of records.—Every new authorised entity shall maintain all commercial records, subscriber data record, call data record or call detail record, exchange detail record, internet protocol detail record or internet protocol data record and any other similar records for all captive telecommunication services provided by it, in accordance with the orders, directions or guidelines issued by the Central Government.

30. Securing information transacted through telecommunication network.—(1) Every new authorised entity shall take adequate measures to ensure that the messages communicated through the telecommunication network are secure and protected.

(2) Every new authorised entity shall ensure privacy of messages communicated through its telecommunication network and that unauthorised interception of messages does not take place.

31. Prevention of use of telecommunication network for unauthorised or unlawful activities.— Every new authorised entity shall ensure that its telecommunication network is used only for providing captive telecommunication services for which it is authorised, to *bona fide* users and not for undertaking any activities or commissioning any action, that constitutes an offence under the Act, the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or any other law for the time being in force, including laws prohibiting crimes against the State.

32. Trusted sources and trusted products.—(1) For the purpose of this rule, the designated authority shall be the National Cyber Security Coordinator of the Central Government, who shall determine the categories of telecommunication equipment for which the security requirements related to trusted sources and trusted products are applicable, and specify the same on its website for this purpose.

(2) The designated authority shall specify the list of trusted sources along with the associated trusted products for the categories of telecommunication equipment as specified under sub-rule (1).

(3) The designated authority may specify the procedure for inclusion of telecommunication equipment in the list of trusted sources and trusted products referred to in sub-rule (2).

(4) The designated authority may also specify a list of persons from whom no procurement of telecommunication equipment may be undertaken.

(5) Every new authorised entity shall adhere to conditions as specified by the designated authority on its website for procurement of telecommunication equipment and establish, operate, maintain and expand only trusted products in its telecommunication network.

(6) Every new authorised entity shall register itself on the website specified by the designated authority, provide relevant details relating to the telecommunication network or telecommunication equipment, as may be required by such authority.

(7) Every new authorised entity shall, prior to the procurement of telecommunication equipment or categories thereof, for establishing its telecommunication network or any upgradation or expansion thereof, adhere to the following process, namely:—

(a) if the designated authority has already determined certain telecommunication equipment as trusted products and their corresponding trusted sources under sub-rule (2), such new authorised entity shall ensure compliance with the same and submit to the designated authority,—

(i) the list of telecommunication equipment and the sources from which it is planning to procure; and

(ii) periodic reports of procurement of telecommunication equipment and sources thereof, and the locations of deployment of the same;

(b) if clause (a) is not applicable, such new authorised entity shall submit to the designated authority, the details of the telecommunication equipment and their sources from which it is intending to procure the same, as per the procedure specified by the designated authority for this purpose under sub-rule (3);

(c) if the designated authority approves the telecommunication equipment and their sources as submitted under clause (b), such new authorised entity shall proceed to procure and install the same;

(d) such new authorised entity shall adhere to such directions or guidelines, including the guidance for enhanced supervision and effective control of telecommunication networks that the Central Government or the designated authority may issue in this behalf.

(8) The new authorised entity shall provide relevant technical, operational, supply chain and security-related information relating to the telecommunication equipment deployed or being deployed in its telecommunication network, on receiving a request from the Central Government or the designated authority.

(9) The new authorised entity shall submit to the Central Government or the designated agency, compliance reports under this rule, through the portal, within such date as may be specified therein.

(10) These rules shall be without prejudice to any other measure taken by the Central Government, that it may consider necessary or expedient for the purpose of national security under section 21 of the Act, which shall be binding on new authorised entities.

33. Prohibition of certain activities.—(1) A telecommunication network of a new authorised entity shall not be used for transmission of—

(a) messages which are illegal or unauthorised as per applicable law, including rules made under the Information Technology Act, 2000 (21 of 2000); or

(b) message infringing copyright and intellectual property right in any form.

(2) The new authorised entity shall take necessary measures to prevent transmission of message in violation of sub-rule (1), in its telecommunication network, on receipt of any information, order, direction or guidelines from the Central Government or an order of the Court.

(3) The new authorised entity shall ensure that its telecommunication network or installation thereof does not become a safety or health hazard and is not in contravention of any applicable law.

(4) The new authorised entity shall not provide any commercial or public telecommunication services to users other than for its captive use.

34. General security conditions.—(1) Every new authorised entity shall—

(a) ensure security of its telecommunications network;

(b) provide facilities as the Central Government may require to respond to any situations of espionage, subversive acts, sabotage or any other unlawful activity; and

(c) ensure capability to suspend captive telecommunication services in such areas as may be specified on the portal.

(2) Every new authorised entity shall, at its own cost, make arrangements for provisioning of monitoring facilities in accordance with such orders, directions or guidelines that the Central Government or the designated agency may issue in this regard.

(3) Every new authorised entity shall adhere to maps provided by the Survey of India for the precise delineation of service area of authorisation along international borders, if any.

(4) Every new authorised entity shall implement appropriate technical and organisational measures, and reasonable security safeguards to ensure effective observance of the provisions of these rules.

CHAPTER VI

SPECIFIC CONDITIONS FOR TYPES OF CAPTIVE TELECOMMUNICATION SERVICES

35. Applicability of Chapter VI.—(1) In addition to the rules mentioned in Chapter I to Chapter V, the rules mentioned in different Parts of this Chapter shall also apply to a new authorised entity establishing telecommunication network for captive use of captive telecommunication services specified in the scope of the relevant Part of this Chapter.

(2) In the event of any conflict between the provisions of Chapters I to V and Chapter VI, the rules mentioned in Chapter VI shall prevail to the extent of such conflict.

PART A
CAPTIVE MOBILE RADIO TRUNKING SERVICE AUTHORISATION

36. Applicability of Part A.—This Part shall apply to the new authorised entity that holds captive mobile radio trunking service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds captive mobile radio trunking service authorisation.

37. Scope of captive mobile radio trunking service authorisation.—(1) The captive mobile radio trunking service authorisation consists of authorisation for captive mobile radio trunking services.

(2) The new authorised entity that holds a captive mobile radio trunking service authorisation shall use the authorisation for establishing, operating, maintaining and expanding captive mobile radio trunking service network for its own captive use within the geo-coordinates of the service area, and not for providing public mobile radio trunking service or any other telecommunication service which require a separate authorisation from the Central Government.

38. Fees and charges.—(1) Every new authorised entity shall pay an annual authorisation fee for captive mobile radio trunking service authorisation, from the effective date of such authorisation which shall be three hundred rupees per user terminal subject to minimum of five thousand rupees and the amounts specified in sub-rules (2) to (4), as applicable:

Provided that such new authorised entity that holds captive mobile radio trunking service authorisation for services including police, fire or government security service shall be exempted from the requirement to pay any annual authorisation fee.

(2) From the fourth year of the effective date of authorisation, and for each subsequent year the authorisation fee shall be higher of—

(a) three hundred rupees per user terminal; or

(b) twenty-five thousand rupees.

(3) In the event of renewal of the authorisation, the authorisation fee from the effective date of renewal shall be higher of—

(a) three hundred rupees per user terminal; or

(b) twenty-five thousand rupees.

(4) In the event of migration of license to the terms and conditions of captive mobile radio trunking service authorisation,—

(a) if the license has been operational for less than three years from the effective date of license up to the period during which the combined operation under the license and authorisation equals three years, the authorisation fee from the effective date of migration shall be higher of—

(i) three hundred rupees per user terminal; or

(ii) five thousand rupees.

Explanation.—In this clause, operation under the license for part of a year shall be reckoned as a full year; and

(b) in all other cases, the authorisation fee from the effective date of migration shall be higher of—

(i) three hundred rupees per user terminal; or

(ii) twenty-five thousand rupees.

(5) The rate of authorisation fee as specified in this Part may be varied at any time within the duration of the authorisation.

39. Schedule of payment.—(1) The authorisation fee determined under these rules shall be payable by a new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on a pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected number of user terminals in use for that quarter:

Provided that such new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of the next financial year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of number of user terminals in use at the end of each month, which shall be added for all the months of a relevant quarter and divided by the number of months:

Provided that for a period that is less than a month, the number of user terminals for that month shall be calculated on a pro-rata basis by using factor of actual number of days under the authorisation against total number of days in the month.

(4) Payments pursuant to sub-rule (2) shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of computation of authorisation fee for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney:

Provided that in case of entities under clause (b) of rule 5, such self-certificate and statement may be signed and electronically verified by an officer duly authorised in accordance with the internal procedure applicable to such offices.

(5) In the event of any delay in payment of authorisation fee or any other dues payable by the new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely, first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall, on or before the thirtieth of June of each calendar year make the final adjustment of the authorisation fee, including applicable interest as per sub-rule (5), for the previous financial year, based on sub-rule (2).

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity, in such manner as specified on the portal.

40. Guarantee requirements for authorisation.—(1) Every new authorised entity shall, for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee in such form and manner as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any scheduled commercial bank or public financial institution with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government:

Provided that a new authorised entity that holds captive mobile radio trunking service authorisation for managing police, fire or government security service, shall be exempt from the requirement to submit the guarantee under this sub-rule.

(2) The purpose of the guarantee as specified under sub-rule (1) is to provide security for due compliance of all the terms and conditions of the authorisation, including but not limited to payment of authorisation fee, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders, directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of each captive mobile radio trunking service authorisation in the Schedule or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of captive mobile radio trunking service authorisation in the Schedule; or

(b) twenty per cent. of combined estimated sum, calculated in accordance with such procedure as may be specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters;

(ii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period of the guarantee submitted under this rule by a minimum of one year, at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the duration of authorisation or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit, without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in sub-rule (6), allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in any of the following cases, namely:—

(a) non-payment of authorisation fee or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provided in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

41. Assessment of authorisation fees.—(1) The Central Government may carry out the assessment of authorisation fees in accordance with such procedure as may be specified on the portal.

Explanation.—For the purposes of this rule, the expression "assessment" shall include reassessment and recomputation.

(2) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and a separate statement of computation for each authorisation.

(3) Every new authorised entity shall maintain and preserve records relevant to the calculation of authorisation fee for every financial year, in electronic form as well as hard copy, for a period of at least six years from the end of relevant financial year:

Provided that if such new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis, and on such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014 made under the Companies Act, 2013 (18 of 2013):

Provided further that if the authorisation fee or any other charges for any period are under dispute, the said records shall be retained until such dispute is resolved.

(4) The Central Government may, at any time, direct the new authorised entity to supply information or provide access to the records that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(5) The Central Government may, at any time, subject the records of a new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fees and any other charges.

(6) If a new authorised entity fails to submit the required documents under sub-rule (4) of rule 39 within four months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee, on best judgement basis:

Provided that before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(7) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year except as provided under sub-rule (8).

(8) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has not been subject to assessment is likely to be equivalent to an amount of ten lakh rupees or more for such financial year.

(9) For the purposes of computing the period of limitation as specified under sub-rule (7) and sub-rule (8), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(10) Notwithstanding anything contained in sub-rule (7) and sub-rule (8), assessment of authorisation fee may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(11) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee, issue directions to new authorised entity, in respect of all or any captive telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

42. Technical and operating conditions.—(1) A new authorised entity shall not connect its captive mobile radio trunking service network with public switched telephone network, public land mobile network, internet telephony network or internet network.

(2) Every new authorised entity shall not interconnect its captive mobile radio trunking service network with the captive telecommunication network of any other new authorised entity or licensee that holds any authorisation or license.

(3) A new authorised entity may establish connectivity amongst its repeater stations within the service area.

(4) A new authorised entity may shift the location of a repeater station from one location to another within the geographical area for which spectrum has been assigned:

Provided that the radio coverage resulting from such shifting of location of the repeater station, shall remain within the geographical area for which spectrum has been assigned.

(5) A new authorised entity may install additional repeater stations within the geographical area for which spectrum has been assigned, after obtaining the prior approval of the Central Government in writing, by making an application on the portal, in respect of—

(a) additional block of frequencies for the new repeater station; or

(b) use of assigned frequencies within such geographical area, at the new repeater station by way of partial shifting of a few frequency carriers out of the pool of assigned frequencies:

Provided that the radio coverage resulting from the installation of the additional repeater station, shall remain within the geographical area for which spectrum has been assigned.

(6) Every new authorised entity may replace its radio equipment or user terminals, after giving prior intimation to the Central Government on the portal.

(7) Every new authorised entity shall ensure that the user terminal is operated in accordance with the terms and conditions of the authorisation, and relevant orders, directions or guidelines, that the Central Government may issue in this behalf.

43. Rollout obligations.—(1) Every new authorised entity shall rollout the telecommunication network for captive mobile radio trunking services, including establishment of at least one repeater station in the geographical area for which spectrum has been assigned by the Central Government, within twelve months from the date of such assignment.

(2) Every new authorised entity shall register with the Central Government on the portal in accordance with the orders, directions or guidelines issued by the Central Government, for verification of compliance of rollout obligations as specified in sub-rule (1), as per the norms that may be specified on the portal.

(3) On successful verification under sub-rule (2), the date of registration with the Central Government shall be treated as the date of compliance of the rollout obligations.

(4) In case of failure on verification in sub-rule (2), the new authorised entity shall re-register, after necessary corrections, and in such case, the date of re-registration with the Central Government, on successful verification, shall be treated as the date of compliance of the rollout obligation.

(5) Any failure to adhere to the rollout obligations shall be treated as breach of the terms and conditions of the authorisation and shall be dealt as per the provisions of Chapter VIII of the Act:

Provided that if the rollout obligations are complied with within thirty days of the expiry of the due date for complying with such obligations, the Central Government shall consider the same as timely fulfilment of rollout obligations.

(6) In case of failure to adhere to the rollout obligations, in addition to imposition of civil penalty as per the provisions of Chapter VIII of the Act, the spectrum assignment for captive mobile radio trunking services shall be subject to relevant provisions of the Act and the terms and conditions of spectrum assignment.

PART B
CAPTIVE NON-PUBLIC NETWORK SERVICE AUTHORISATION

44. Applicability of Part B.—This Part shall apply to a new authorised entity that holds captive non-public network service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds captive non-public network service authorisation.

45. Scope of captive non-public network service authorisation.—(1) The captive non-public network service authorisation consists of authorisation to establish, operate, maintain or expand captive non-public network in a geographical area within the national service area, limited to geo coordinates of logical perimeter of the occupied premise, owned or leased, by a new authorised entity for captive non-public use.

(2) A new authorised entity may establish a new captive non-public network at a different geographical area within the national service area, limited to geo-coordinates of the logical perimeter of such occupied premise, after giving prior intimation to the Central Government on the portal, accompanied by the details of the geo-coordinates of logical perimeter of such geographical area.

(3) A new authorised entity that has captive non-public network at more than one geographical area within the national service area shall require only one captive non-public network service authorisation.

(4) A new authorised entity shall not use its telecommunication network to provide any commercial or public telecommunication service.

46. Fees and charges.—There shall be no authorisation fee to be paid by a new authorised entity.

47. Technical and operating conditions.—(1) Every new authorised entity shall not connect its captive non-public network with public switched telephone network, public land mobile network, internet telephony network or internet network.

(2) The new authorised entity may connect its captive non-public networks established at multiple geographical locations through domestic leased circuits obtained from other new authorised entity or licensee that holds authorisation or license to provide domestic leased circuit.

(3) The new authorised entity shall not interconnect its captive non-public network with a captive telecommunication network established by any other new authorised entity or licensee that holds any authorisation or license.

(4) Every new authorised entity shall ensure that the radio signals of each captive non-public network are restricted within the geo coordinates of the logical perimeter of the occupied premise.

(5) Every new authorised entity shall ensure that there is no harmful interference to the telecommunication network established by any other new authorised entity or licensee that holds any authorisation or license, and where any such interference is detected, it shall adhere to such measures as the Central Government may direct in this behalf.

48. Assignment and use of spectrum.—(1) Every new authorised entity that has been granted authorisation under this Part may obtain access spectrum under applicable law, subject to meeting any eligibility conditions under such law,—

(a) on lease from new authorised entity or licensee authorised to provide access services (hereinafter referred to as lessor); or

(b) directly from the Central Government:

Provided that the new authorised entity shall obtain separate access spectrum for each geographical area only after prior intimation of establishing captive non-public network for each geographical area as per sub-rule (2) of rule 45.

Explanation.—For the removal of doubts, it is clarified that grant of authorisation under this Part shall not be construed as conferring any right to the assignment or use of spectrum on a new authorised entity.

(2) Every new authorised entity that holds captive non-public network service authorisation shall ensure that the contract for leasing of access spectrum specify the following conditions, namely:—

(a) periodic inspections of its premises by the lessor to check possible misuse of the captive non-public network or service; and

(b) if the lessor detects any misuse under clause (a), it shall forthwith withdraw such leased spectrum and communicate the same to the Central Government in writing within twenty-four hours of detection of such misuse.

PART C
CAPTIVE VERY SMALL APERTURE TERMINAL SERVICE AUTHORISATION

49. Applicability of Part C.—This Part shall apply to a new authorised entity that holds captive very small aperture terminal service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds captive very small aperture terminal service authorisation.

50. Scope of captive very small aperture terminal service authorisation.—(1) The captive very small aperture terminal service authorisation consists of authorisation for the following, namely:—

(a) establish, operate, maintain or expand satellite network for captive use of telecommunication services using very small aperture terminal or earth station in motion; and

(b) establish data connectivity, using the telecommunication network established under clause (a), amongst its own offices or sites.

(2) The new authorised entity that holds a captive very small aperture terminal service authorisation shall not use its telecommunication network to provide any commercial or public telecommunication service.

51. Fees and charges.—(1) Every new authorised entity that holds captive very small aperture terminal service authorisation shall pay an annual authorisation fee of ten thousand rupees per very small aperture terminal including earth station in motion installed, from the effective date of such authorisation.

(2) In the event of renewal of the authorisation or migration of a license to the terms and conditions of captive very small aperture terminal service authorisation, the authorisation fee shall be the amount specified in sub-rule (1) from the effective of renewal or migration, as the case may be.

(3) The rate of authorisation fee as specified in this Part may be varied at any time within the duration of the authorisation.

52. Schedule of payment.—(1) The authorisation fee determined as per these rules shall be payable by a new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on a pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected number of very small aperture terminals including earth station in motion in use for that quarter:

Provided that such new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of next financia1 year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of number of very small aperture terminals including earth station in motion in use at the end of each month, which shall be added for all the months of a relevant quarter and divided by the number of months:

Provided that for a period that is less than a month, the number of very small aperture terminals including earth station in motion for that month shall be calculated on a pro-rata basis by using factor of actual number of days under the authorisation against total number of days in the month:

Provided further that the machine-to-machine or internet of things devices, used in any architecture including direct-to-satellite, shall not be treated as very small aperture terminal for the purpose of calculating the authorisation fee.

Explanation.—For the purposes of this sub-rule—

1. very small aperture terminals shall include all types of very small aperture terminals including user terminals that can only receive or only transmit, or do both; and

2. the authorisation fee shall be based on total number of very small aperture terminals including earth station in motion irrespective of number of hubs in the network and without levy of any minimum authorisation fee.

(4) Payments pursuant to sub-rule (2) shall be accompanied, in such form and manner as specified on the portal, by a self-certificate, and a statement of computation of authorisation fee for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney:

Provided that in case of entities under clause (b) of rule 5, such self-certificate and statement may be signed and electronically verified by an officer duly authorised in accordance with the internal procedure applicable to such offices.

(5) In the event of any delay in payment of authorisation fee or any other dues payable by the new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall, on or before the thirtieth of June of each calendar year make the final adjustment of the authorisation fee, including applicable interest as per sub-rule (5), for the previous financial year, based on sub-rule (2).

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity, in such manner as specified on the portal.

53. Guarantee requirements for authorisation.—(1) Every new authorised entity shall, for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee in such form and manner as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any scheduled commercial bank or public financial institution with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government:

Provided that any Central Government Department that holds captive very small aperture terminal service authorisation shall be exempted from the requirement of submission of any guarantee.

(2) The purpose of the guarantee as specified under sub-rule (1) is to provide security for compliance of all the terms and conditions of the authorisation including but not limited to payment of authorisation fee, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders, directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of each captive very small aperture terminal service authorisation in the Schedule or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year of authorisation, guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of captive very small aperture terminal service authorisation in the Schedule, or

(b) twenty per cent. of combined estimated sum, calculated in accordance with the procedure as may be specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters;

(ii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period of guarantee submitted under this rule, by a minimum of one year, at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the authorisation or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit, without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in this sub-rule, allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in the following cases, namely:—

(a) non-payment of authorisation fee or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provided in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

54. Assessment of authorisation fees.—(1) The Central Government may carry out the assessment of authorisation fees in accordance with such procedure as may be specified on the portal.

Explanation.—For the purposes of this rule, the term "assessment" shall include reassessment and recomputation.

(2) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and separate statement of computation of authorisation fee for each such authorisation.

(3) Every new authorised entity shall maintain and preserve records relevant to the calculation of authorisation fee for every financial year, in electronic form as well as hard copy, for a period of at least six years from the end of relevant financial year:

Provided that, if a new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis, and on

such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014 made under the Companies Act, 2013 (18 of 2013):

Provided further that, if the authorisation fee or any other charges for any period are under dispute, the said records shall be retained until such dispute is resolved.

(4) The Central Government may, at any time, direct the new authorised entity to supply information or provide access to the records that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(5) The Central Government may, at any time, subject the records of any new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fees, and any other charges.

(6) If any new authorised entity fails to submit the required documents under sub-rule (4) of rule 52 within four months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee, on best judgement basis:

Provided that, before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(7) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year, except as provided under sub-rule (8).

(8) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has escaped assessment is likely to be equivalent to an amount of ten lakh rupees or more for such financial year.

(9) For the purposes of computing the period of limitation as specified under sub-rule (7) and sub-rule (8), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(10) Notwithstanding anything contained in sub-rule (7) and sub-rule (8), assessment of authorisation fee may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(11) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee, issue directions to the new authorised entity, in respect of all or any captive telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

55. Technical and operating conditions.—(1) Every new authorised entity shall ensure that the very small aperture terminal is obtained from any source that meets the standards notified by the Central Government under section 19 of the Act and operated in accordance with the terms and conditions of the authorisation, and orders, directions or guidelines that the Central Government may issue in this behalf.

(2) Every new authorised entity may establish its own satellite earth station gateway within India or lease or hire the satellite earth station gateway established by other new authorised entities or licensees that are eligible for sharing such satellite earth station gateways under the terms of their respective authorisation or license.

(3) Every new authorised entity shall not connect its telecommunication network established under rule 50 with public switched telephone network or public land mobile network.

(4) Every new authorised entity may, to avail of internet services for captive use, connect its satellite earth station gateway with the telecommunication network of the new authorised entity, that holds authorisation for internet services:

Provided that the connection between the satellite earth station gateway and the telecommunication network of the new authorised entity that holds authorisation for internet services shall be established through a domestic leased circuit obtained from a new authorised entity or licensee that holds authorisation or license to provide domestic leased circuit.

(5) Every new authorised entity shall not interconnect its telecommunication network established under rule 50 with a telecommunication network established for providing captive very small aperture terminal services by any other new authorised entity or licensee.

(6) A new authorised entity may, for captive use, connect its satellite earth station gateway in India with its offices outside India for the purpose of transferring data in accordance with applicable law:

Provided that such connection between the satellite earth station gateway and offices outside India is established through an international private leased circuit obtained from a new authorised entity or licensee that holds authorisation or license to provide international private leased circuit.

(7) Every new authorised entity shall, prior to establishing or operating a satellite network, apply to the Central Government, in such form and manner as specified on the portal.

(8) Every new authorised entity shall—

(a) own the relevant satellite or space segment capacity authorised by the Department of Space in the Government of India or any other designated agency specified for this purpose; or

(b) enter into an agreement with an entity that has the relevant satellite or space segment capacity authorised by the Department of Space in the Government of India or any other designated agency specified for this purpose, that contains enforceable obligations as specified under sub-rule (10).

(9) Every new authorised entity shall report the following incidents to the Central Government, and shall adhere to such directions that the Central Government may issue in this behalf, namely:—

(a) unauthorised satellite signal that it may detect originating or terminating within India; and

(b) unauthorised access from India of any satellite that may be under its control or operation which is being used to provide service outside India.

(10) If a new authorised entity enters into an agreement under clause (b) of sub-rule (8), it shall, for the purposes of compliance with sub-rule (9), ensure that such agreement provides for an obligation on the entity, with whom such new authorised entity has entered into agreement, to forthwith inform that new authorised entity of any incident referred to in sub-rule (9).

(11) Every new authorised entity shall, on receipt of a direction from the Central Government or the designated agency, provide such details and information as it may require, including the following, namely:—

(a) details of the satellite network, the satellite earth station gateway for each such satellite network and the associated telecommunication network, accompanied by their location details; and

(b) details of the satellite or space segment capacity, including relevant information as specified under sub-rule (9).

(12) Every new authorised entity may use one or more permitted satellite network or space segment capacity, subject to compliance with the condition that the satellite earth station gateway for each such satellite network and the associated telecommunication network is located in India.

(13) Every new authorised entity shall, prior to undertaking any change in the permitted satellite network or in frequency band as specified in the orders, directions or guidelines issued by the Central Government, apply on the portal, for its approval in writing.

(14) Every new authorised entity shall—

(a) ensure that all traffic on the satellite network originating from or terminating on the user terminals located in India shall pass through a satellite earth station gateway, located in India, of such new authorised entity;

(b) ensure that no traffic originating from or terminating at a user terminal located in India is routed via satellite earth station gateways located outside India directly or through inter-satellite communication links, including during failure of satellite earth station gateway in India or as part of telecommunication network optimisation;

(c) ensure that the user traffic shall not be mirrored to any satellite network or server located outside India through inter satellite communication links or through any other means;

(d) provide real-time traffic monitoring facility to ensure the compliance of clauses (a) to (c);

(e) ensure that no direct communication shall take place between two or more user terminals through one or more satellites, without routing the user traffic through satellite earth station gateway; and

(f) provide any information of and conduct tests for interference monitoring, and to take necessary steps, as directed by the Central Government, for its mitigation.

56. Security conditions.—(1) The operation, maintenance and control facility for the satellite earth station gateway, user terminals connected with the satellite network of a new authorised entity shall be located in India.

(2) Every new authorised entity shall ensure that the permitted satellite network be used only for providing captive very small aperture terminal services and such satellite network is not used for any unauthorised activities including surveillance and electronic warfare, or in a manner that may prejudice the sovereignty and security of India.

(3) Every new authorised entity shall, at its own cost, make arrangements for provisioning of lawful interception systems and lawful interception monitoring facilities in accordance with the orders, directions or guidelines issued in this regard.

(4) Every new authorised entity shall ensure that domestic traffic, or any part thereof, is not hauled or routed through any place outside India.

Explanation.—For the purposes of this sub-rule, it is clarified that usage of satellites for transmitting and receiving domestic traffic without transiting through any country other than India, shall not be treated as hauling or routing domestic traffic outside India.

(5) Every new authorised entity shall monitor the operations of user terminals of satellite network within India, as per the directions of the Central Government, and on receiving directions by the Central Government, shall provide details relating to the identity and location of such user terminals.

(6) Every new authorised entity shall—

(a) ensure that no location spoofing tool, whether hardware or software, be incorporated with the user terminals to hide the actual location of the user terminals; and

(b) deploy appropriate technical measures, including automated tools or other suitable mechanisms for identification and reporting of any such device in its telecommunication network.

(7) Every new authorised entity shall ensure that the captive very small aperture terminal services to any user terminal, in idle mode or in use, are discontinued when such user terminal enters into the restricted areas referred to in sub-rule (2) of rule 24.

(8) Every new authorised entity shall ensure compliance with the directions and timelines that the Central Government may issue in respect of provision of positioning services through Indian regional navigation satellite system in its user terminals.

(9) Every new authorised entity shall seek permission of the Central Government to provide remote access to its telecommunication network from a location outside India and for seeking such permission it shall provide the following details, namely:—

(a) purpose and duration of such remote access and details of the person who shall access its telecommunication network; and

(b) details of the specific location of the telecommunication network within India to which remote access is sought from the specific location outside India.

(10) The Central Government may, pursuant to an application under sub-rule (9), grant permission subject to the following conditions, namely:—

(a) every new authorised entity shall provide remote access only through approved locations within India from approved locations outside India and shall be limited to the purpose as specified under such permission;

(b) the remote access to the telecommunication network shall not enable access to lawful interception system and lawful interception and monitoring facilities, call data records, content of messages and any other such sensitive data, as the Central Government may specify through orders, directions or guidelines that it may issue in this regard;

(c) every new authorised entity shall provide suitable technical systems as may be specified on the portal, at the approved location in India, which is connected with the approved location outside India, to enable the Central Government or the designated agency to access and monitor the mirror image of the information available at the approved location outside India, in accordance with the directions that the Central Government may issue in this regard;

(d) every new authorised entity shall maintain the complete audit trail of the remote access activities pertaining to the telecommunication network for a period of six months at the approved location in India, and provide such information to the Central Government or the designated agency, in accordance with the directions or guidelines that the Central Government may issue in this regard.

PART D
CAPTIVE GENERAL SERVICE AUTHORISATION

57. Applicability of Part D.—This Part shall apply to a new authorised entity that holds captive general service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds captive general service authorisation.

58. Scope of captive general service authorisation.—(1) The captive general service authorisation consists of authorisation to establish, operate, maintain or expand telecommunication network including wireline and wireless telecommunication networks, by a new authorised entity for captive use.

(2) The scope of this authorisation shall not include such captive telecommunication services for which a separate authorisation is granted under these rules.

59. Fees and charges.—There shall be no authorisation fee to be paid by a new authorised entity.

60. Technical and operating conditions.—Every new authorised entity shall not connect its telecommunication network with public switched telephone network, public land mobile network, internet telephony network or internet network.

CHAPTER VII
MISCELLANEOUS

61. Breach.—(1) A breach of the terms and conditions of authorisation by a new authorised entity shall constitute a breach as referred to in section 32 of the Act.

(2) The Central Government may, after due consideration of the recommendations received under clause (b) of sub-section (1) of section 32 of the Act and giving an opportunity of being heard to the new authorised entity, issue an order of suspension, revocation or curtailment of an authorisation under sub-section (2) of section 32 of the Act.

(3) Every order under sub-rule (2) shall be published by the Central Government on the portal, and be effective from the thirty-first day from the date of publishing of such order.

62. Digital implementation.—The Central Government may, in furtherance of section 53 of the Act, notify one or more portals for digital implementation of these rules, including for providing any form, manner, order, direction or guidelines to be specified under these rules.

SCHEDULE

PROCESSING FEE, ENTRY FEE, AND INITIAL GUARANTEE FOR AUTHORISATIONS FOR CAPTIVE TELECOMMUNICATION SERVICES

[*See* rules 6(2)(a), 7(2)(a)(i), 13(1), 40(3), 53(3)]

Sl. No.	Service Authorisation	Processing Fee (in Rs.)	Entry Fee (in Rs.)	Initial Guarantee (in Rs.)
1.	Captive mobile radio trunking service authorisation	10,000	Nil	20,000
2.	Captive non-public network service authorisation	10,000	Nil	Nil
3.	Captive very small aperture terminal service authorisation	10,000	7.5 lakh	3 lakh
4.	Captive general service authorisation	Nil	Nil	Nil

[F. No. 24-08/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

SARVESH KUMAR SRIVASTAVA Digitally signed by SARVESH KUMAR SRIVASTAVA Date: 2026.06.23 23:54:25 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-34

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 20 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23.07.2026.

ದಿನಾಂಕ: 23.06.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Telecommunications (Terms and Conditions for Migration) Rules, 2026ನ GSR 510(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 23rd June, 2026

G.S.R. 510(E).— Whereas a draft of the Telecommunications (Migration) Rules, 2025 was published, as required sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), *vide* notification of the Ministry of Communications, Department of Telecommunications number G.S.R. 689(E), dated the 19th September, 2025 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 19th September, 2025, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public:

And whereas, copies of the said Official Gazette were made available to the public on the 19th September, 2025:

And whereas, comments and suggestions so received in respect of the said draft rules have been considered by the Central Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (d) of sub-section (2) of section 56 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Terms and Conditions for Migration) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Telecommunications Act, 2023 (44 of 2023);

(b) "applicant" means a licensee submitting an application under rule 4;

(c) "authorisation rules" means the following rules made under sub-section (1) of section 3 of the Act for the relevant authorisation, namely:—

(i) Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026;

(ii) Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026;

(iii) Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2026); and

(iv) Telecommunications (Authorisation for Telecommunication Network) Rules, 2026;

(d) "overlapping authorisation" means the authorisation held by an applicant, the scope and service area or network area of which would be covered in its entirety within the scope and service area or network area of the authorisation in respect of which an application for migration is submitted under these rules;

(e) "letter of intent" means the letter issued under sub-rule (1) of rule 5;

(f) "license" means a license, registration or permission as referred to in sub-section (6) of section 3 of the Act, and the expression "licensee" shall be construed accordingly;

(g) "migration" means migration as referred to in sub-section (6) of section 3 of the Act; and

(h) "portal" means the portal referred to in rule 9.

(2) Words and expressions used in these rules and not defined herein but defined in the Act or rules made thereunder shall have the meanings respectively assigned to them in the Act or the said rules.

3. Eligibility.—A licensee who fulfils the requirement of continued adherence to eligibility conditions under the authorisation rules shall be eligible to apply for migration.

4. Application.—(1) An applicant seeking migration shall submit an application, in such form and manner and accompanied by such documents as specified on the portal, and shall pay such non-refundable processing fee as is applicable to the relevant authorisation under the authorisation rules.

(2) The application for migration shall be subject to the following conditions, namely:—

(a) The scope and the service area or network area of the relevant authorisation includes the scope and the service area or network area of the license to which the application pertains.

(b) If the applicant is a network service operator licensee who seeks to migrate any of the licenses specified in the definition of the expression "network service operator licensee" in the Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026, the application shall be for migration to such terms and conditions of the relevant authorisation as are applicable to a network service operator:

Provided that, if the applicant is a network service operator licensee holding a license for providing public mobile radio trunking services, such licensee shall apply for migration as per the terms and conditions of the authorisation for providing public mobile radio trunking services under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026.

(c) If the applicant is a virtual network operator licensee who seeks to migrate any of the licenses specified in the definition of the expression "virtual network operator licensee" in the Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026, the application shall be for migration to such terms and conditions of the relevant authorisation as are applicable to a virtual network operator:

Provided that, if the applicant is a virtual network operator licensee holding a license for providing public mobile radio trunking services, such licensee shall apply for migration as per the terms and conditions of the authorisation for providing public mobile radio trunking services under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026.

(d) If the applicant holds any overlapping authorisation, it shall relinquish such existing overlapping authorisation as required under these rules.

(3) If the applicant seeks to migrate a license that has a definite validity period, the application under sub-rule (1) shall be made at least twelve months prior to the expiry of such license:

Provided that where the validity period of such license is less than twelve months on the date of notification of these rules, the applicant shall submit such application within ninety days of notification of these rules or prior to the expiry of the license, whichever is earlier.

(4) If an applicant seeking to migrate holds a license that does not have any definite validity period, it shall submit the application under sub-rule (1) at least twelve months prior to the expiry of the period of five years from the appointed day for clause (b) of sub-section (6) of section 3 of the Act.

(5) The Central Government may, on receipt of a written request from the applicant, if satisfied that there was sufficient cause for not making the application within the timelines specified under sub-rules (3) and (4), permit such application, subject to payment of such late fees as the Central Government may specify in response to such request:

Provided that no such application shall be considered if made after the expiry of the validity period of such license.

5. Approval.—(1) The Central Government, on receipt of an application for migration, after making such inquiry as it deems fit, require the applicant to furnish such information as it may call for, and may issue a letter of intent, through the portal, to such applicants that are eligible, specifying the terms and conditions, including—

(a) migration of all licenses, the scope and the service area or network area of which are being covered in their entirety within the scope and service area or network area of the terms and conditions of the authorisation in respect of which the letter of intent is being issued;

(b) submission of an unconditional and irrevocable undertaking to pay to the Central Government any amounts that may be determined to be pending dues for the period prior to the approval for migration;

(c) payment of the difference in amount between the sum total of the entry fees paid in respect of licenses to be migrated, and the entry fee specified for the relevant authorisation under the authorisation rules, and submission of a guarantee for an amount equivalent to the difference in amount between the sum total of bank guarantees submitted in respect of licenses to be migrated and the bank guarantee specified for the relevant authorisation under the authorisation rules, where applicable; and

(d) submission of an unconditional and irrevocable undertaking in such form and manner as specified on the portal, relinquishing the overlapping authorisation, if any, from the effective date of migration under sub-rule (2) of rule 5.

(2) On acceptance and compliance by the applicant with the terms and conditions of the letter of intent as provided under sub-rule (1), the Central Government may approve migration of licenses to terms and conditions of an authorisation through the portal in the form specified therein, *inter alia*, specifying—

(a) effective date of migration;

(b) name of telecommunication service or telecommunication network;

(c) service area or network area; and

(d) duration of migration.

(3) The applicant shall not be entitled to any refund of entry fee or reduction of bank guarantee if the sum total of the entry fees paid and sum total of bank guarantees provided in respect of the licenses to be migrated exceeds the entry fee and guarantee specified for the authorisation under the authorisation rules.

(4) The approval for migration to terms and conditions of the authorisation shall be for such duration as is specified for such authorisation in the authorisation rules:

Provided that on migration of mobile number portability service license to the terms and conditions of mobile number portability authorisation, the validity of such authorisation shall be only for the balance period of the validity of mobile number portability service license.

(5) If the applicant receives the approval for migration after the date of expiry of the license, the effective date of migration shall be the date immediately following the date of expiry stated in the license and in such circumstances, the license shall continue to be valid till such approval or the rejection of the application.

6. Relinquishment of overlapping authorisation.—Relinquishment of the overlapping authorisation shall become effective from the effective date of migration as specified under sub-rule (2) of rule 5.

7. Rights and liabilities to continue.—The migration pursuant to the approval under sub-rule (2) of rule 5 and any relinquishment under rule 6 shall be without prejudice to any rights and liabilities arising from the relevant licenses migrated or the overlapping authorisation relinquished, and in particular, shall not affect the following, namely:—

(a) roll-out obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such licenses or overlapping authorisation, shall remain applicable under the terms and conditions thereof, even after the migration or relinquishment, as the case may be;

(b) the resource provided and permission given by the Central Government with respect to the licenses migrated under sub-rule (2) of rule 5 or overlapping authorisation relinquished under rule 6 shall continue to apply in accordance with the terms on which it was obtained, unless the Central Government determines otherwise in public interest.

Explanation.—For the purpose of clause (b), the expressions—

(a) "resource" means—

(i) the telecommunication identifiers already allocated; or

(ii) spectrum held by the relevant entity; or

(iii) certificate of compliance held by the relevant entity in respect of the license or overlapping authorisation, as the case may be; and

(b) "permission" includes coverage test certificates as a part of compliance of roll-out obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the relevant entity, and other permissions including for remote access and gateways permissions.

8. Miscellaneous.—The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules.

9. Digital implementation.—The Central Government may, in furtherance of section 53 of the Act, notify one or more portals for digital implementation of these rules, including for publication of any form, manner, directions or guidelines to be specified under these rules.

[F. No. 24-10/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.
SARVESH KUMAR SRIVASTAVA Digitally signed by SARVESH KUMAR SRIVASTAVA Date: 2026.04.23 23:06:07 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-35

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 22 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23.07.2026.

ದಿನಾಂಕ: 23.06.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026ನ GSR 512(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 23rd June, 2026

G.S.R. 512(E).— Whereas a draft of the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2025 was published, as required under sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* notification number G.S.R. 611(E), dated the 9th September, 2025, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And whereas, copies of the said Official Gazette were made available to the public on the 9th September 2025;

And whereas, the said period was extended till the 21st October, 2025, and comments and suggestions received in that period in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (a) of sub-section (2) of section 56 read with clause (a) of sub-section (1) and sub-section (6) of section 3 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

CHAPTER I
PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Telecommunications Act, 2023 (44 of 2023);

(b) "aeronautical data communication services" means the exchange of data between aircraft and ground station for the purpose of airline operational communication or air traffic management using the spectrum assigned for aeronautical mobile (route) service in the National Frequency Allocation Plan.

Explanation.—For the purpose of this clause, the expression "aeronautical mobile (route) service" means an aeronautical mobile service reserved for communications relating to safety and regularity of flight, primarily along national or international civil air routes;

(c) "aeronautical data communication service authorisation" means the authorisation to provide aeronautical data communication services;

(d) "authorised agency" shall have the same meaning as assigned to it in the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024;

(e) "designated agency" means any person designated as such by the Central Government for the purposes of the rule under which he is designated;

(f) "enterprise communication services" means the telecommunication services referred to as such in sub-rule (2) of rule 50;

(g) "enterprise communication service authorisation" means the authorisation to provide enterprise communication services;

(h) "in-flight and maritime connectivity services" means the telecommunication services referred to as such in sub-rule (1) of rule 68;

(i) "in-flight and maritime connectivity service authorisation" means the authorisation to provide in-flight and maritime connectivity services;

(j) "land mobile service" means a telecommunication service between a repeater station and land mobile stations, or between land mobile stations, and the expression "land mobile service network" shall be construed accordingly.

Explanation.—For the purpose of this clause, the expression "land mobile station" means mobile user terminal in the land mobile service capable of surface movement within the service area;

(k) "letter of intent" means the letter issued under sub-rule (2) of rule 7;

(l) "machine-to-machine communication" means machine to machine communication, which is a type of telecommunication between two or more machines that does not necessarily need any direct human intervention;

(m) "machine-to-machine services" means telecommunication services for telecommunication between machines using machine-to-machine communication;

(n) "machine-to-machine service authorisation" means the authorisation to provide machine-to-machine services;

(o) "machine-to-machine subscriber identity module" means a subscriber identity module used for machine-to-machine services;

(p) "miscellaneous telecommunication services" means the telecommunication services as specified in rule 4;

(q) "new authorised entity" means an authorised entity that has—

(i) obtained an authorisation under sub-section (1) of section 3 of the Act; or

(ii) migrated to the terms and conditions of an authorisation under sub-section (6) of section 3 of the Act;

(r) "overlapping license or authorisation" means the license or authorisation held by an applicant, the scope and service area of which would be covered in its entirety within the scope and service area of the authorisation in respect of which an application is submitted under rule 6;

(s) "Prime Minister Wi-Fi Access Network Interface services" means the telecommunication services referred to as such in sub-rule (4) of rule 63;

(t) "Prime Minister Wi-Fi Access Network Interface service authorisation" means the authorisation to provide Prime Minister Wi-Fi Access Network Interface services;

(u) "portal" means portal as referred to in rule 78;

(v) "public mobile radio trunking services" means a type of land mobile service that enables two-way telecommunication amongst users, using a pair of radio frequencies, allocated temporarily for duration of the call, from a designated spectrum band assigned to a repeater station, and the expression "public mobile radio trunking service network" shall be construed accordingly;

(w) "public mobile radio trunking service authorisation" means the authorisation to provide public mobile radio trunking services;

(x) "repeater station" means the radio equipment used to establish one or several cells of a land mobile service network; and

(y) "Schedule" means the schedule annexed to these rules.

(2) Words and expressions used in these rules and not defined herein but defined in the Act or the rules made thereunder shall have the meanings respectively assigned to them in the Act or the said rules.

3. Application.—(1) These rules provide for the terms and conditions of authorisation, which shall apply to the following, namely:—

(a) authorisation for providing miscellaneous telecommunication services under sub-section (1) of section 3 of the Act; and

(b) the relevant authorisation to the terms and conditions of which a new authorised entity has migrated to under sub-section (6) of section 3 of the Act.

(2) Without prejudice to the provisions of sub-rule (1), the provisions of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), and the rules and regulations made thereunder shall continue to apply in respect of a new authorised entity.

CHAPTER II
MISCELLANEOUS TELECOMMUNICATION SERVICES AND GRANT OF AUTHORISATION

4. Miscellaneous telecommunication services.—Any person intending to provide any of the following telecommunication services (hereinafter referred to as "miscellaneous telecommunication services") may apply to the Central Government under rule 6 to obtain authorisation to provide such services in respect of the service area specified for the same, namely:—

(a) public mobile radio trunking services for one or more service areas listed in Schedule B;

(b) enterprise communication services for national service area;

(c) machine-to-machine services for national service area;

(d) Prime Minister Wi-Fi Access Network Interface services for national service area;

(e) in-flight and maritime connectivity services for national service area; and

(f) aeronautical data communication services for national service area.

5. Eligibility**.**—A person specified in clause (a), who also fulfils the condition specified in clause (b), shall be eligible to apply for authorisation under rule 6, namely:—

(a) it is a company—

(i) in which foreign direct investment, if any, is in conformity with the policy issued by the Government of India from time to time in respect of foreign direct investment and applicable law; and

(ii) the general character of whose management is sound in terms of its track record in providing telecommunication services or in establishing, operating, maintaining or expanding telecommunication networks in a responsible manner.

(b) it has no pending dues:

Provided that if it is applying to obtain machine-to-machine service authorisation, it may be a company as referred to under clause (a), or any of the following, namely:—

(i) a limited liability partnership in which foreign direct investment, if any, is in conformity with the policy issued by the Government of India from time to time in respect of foreign direct investment and applicable law;

(ii) a sole proprietorship;

(iii) a partnership firm;

(iv) a trust;

(v) a co-operative society or society;

(vi) a Central Government Department;

(vii) a State Government Department;

(viii) a legislative body or its offices;

(ix) a Court; or

(x) any other Government-controlled entity:

Provided further that the Central Government may, if it is satisfied that it is necessary in public interest so to do, exempt or relax any condition under this rule.

Explanation.—For the purposes of this rule, the expressions—

(a) "Court" means—

(i) a court of law; and

(ii) other adjudicatory body, established by or under the Constitution or any law for the time being in force in the whole or any part of India,

and includes the registry, secretariat or office thereof.

(b) "other Government-controlled entity" means a body, whether incorporated or not, which is under the overall control of a Central Government Department or a State Government Department, and includes—

(i) an autonomous body; and

(ii) a not-for-profit government company.

6. Application for authorisation.—(1) A person intending to obtain an authorisation under these rules shall submit an application on the portal, in such form, manner and accompanied by such documents as specified therein.

(2) Every application under sub-rule (1) shall be accompanied by—

(a) a non-refundable processing fee as specified in Schedule A; and

(b) a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying that it meets the eligibility criteria under rule 5.

(3) If the applicant holds any overlapping license or authorisation, it shall relinquish such existing overlapping license or authorisation as required under these rules.

(4) If the pending dues referred to in clause (b) of rule 5 are subject to ongoing legal proceedings in which there is a judicial order injuncting payment of such dues, the applicant shall—

(a) comply with the conditions that may have been imposed in such order; and

(b) submit an undertaking to make payments, subject to the outcome of such proceedings;

and submit with its application a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying compliance with this sub-rule.

(5) Any application made for grant of a license or letter of intent for grant of a license that may have been issued under the Indian Telegraph Act, 1885 (13 of 1885), prior to the date of commencement of these rules, shall lapse if the license under the Indian Telegraph Act, 1885 (13 of 1885) pursuant to such application or letter of intent had not been issued prior to the date of commencement of these rules.

(6) An applicant to whom letter of intent issued under sub-rule (5) has lapsed may make an application for grant of authorisation under sub-rule (1):

Provided that any non-refundable processing fee or entry fee paid or bank guarantee furnished pursuant to such letter of intent may be reckoned towards fulfilment of any requirement under these rules as to payment of any processing fee or entry fee or submission of guarantee required under these rules, as the case may be, while paying or submitting fee or guarantee to the extent of shortfall, if any, after adjusting the amount paid or submitted previously.

7. Grant of authorisation.—(1) On receipt of application under rule 6, the Central Government may, make such inquiry as it deems fit regarding the eligibility of the applicant and, for this purpose, require the applicant to furnish such information as it may call for.

(2) The Central Government may,—

(a) if it is satisfied that the applicant is eligible, issue a letter of intent to such applicant through the portal, specifying the requirements to be fulfilled for obtaining authorisation, including—

(i) payment of entry fee and submission of an unconditional and irrevocable guarantee for such authorisation of an amount as specified in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, as the case may be; and

(ii) submission of an unconditional and irrevocable undertaking in such form and manner as specified on the portal, relinquishing the overlapping license or authorisation, if any, from the effective date of authorisation; or

(b) reject the application.

(3) On being satisfied that the requirements specified in the letter of intent are fulfilled by the applicant, the Central Government may grant authorisation through the portal while specifying, among other things,—

(a) its scope;

(b) the service area and the duration for which the authorisation is granted; and

(c) the effective date of such authorisation:

Provided that in-flight and maritime connectivity service authorisation, machine-to-machine service authorisation and Prime Minister Wi-Fi Access Network Interface service authorisation shall be granted to the eligible applicants without any prior issuance of a letter of intent.

(4) Each authorisation granted under these rules shall be on a non-exclusive basis and additional authorisations for same miscellaneous telecommunication services may be granted by the Central Government within the same or other service areas without any restriction on the number of new authorised entities.

(5) A new authorised entity that has been granted authorisation under these rules may apply for assignment of spectrum under applicable law, subject to meeting any eligibility conditions for such assignment under such law.

Explanation.—For the removal of doubts, it is clarified that grant of authorisation under these rules shall not be construed as conferring any right to the assignment or use of spectrum on a new authorised entity.

8. Overlapping license or authorisation.—(1) A new authorised entity shall not be permitted to hold any overlapping license or authorisation.

(2) The relinquishment of an overlapping license or authorisation, if any, shall be without prejudice to any rights and liabilities arising from such license or authorisation, as the case may be, and in particular, shall not affect the following, namely:—

(a) rollout obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such overlapping license or authorisation, shall remain applicable under the terms and conditions thereof, even after the relinquishment, as the case may be; and

(b) the resource provided and permission given by the Central Government with respect to such overlapping license or authorisation, shall continue to apply in accordance with the terms on which it was obtained, unless the Central Government determines otherwise in public interest.

***Explanation*.**—For the purpose of clause (b), the expressions—

1. "resource" means—

   (a) the telecommunication identifiers already allocated;

   (b) spectrum assigned to the new authorised entity;

   (c) certificate of compliance held by the new authorised entity in respect of the overlapping license or authorisation; and

2. "permission" includes coverage test certificates as a part of compliance of rollout obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the new authorised entity, and other permissions including for remote access and gateways permissions.

CHAPTER III
GENERAL CONDITIONS

9. Duration of authorisation.—The duration of each authorisation granted under rule 7 shall be such as is specified under the said rule, subject to a maximum of twenty years and the provisions of rules 14, 15 and 77.

10. Continuing adherence to eligibility conditions.—Every new authorised entity shall, throughout the duration of authorisation, adhere to the conditions under rule 5.

11. Reporting and disclosure obligations.—(1) Every new authorised entity shall—

(a) submit to the Central Government every year, on such date and accompanied by a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013) in such form and manner as specified on the portal, certifying—

   (i) the details of its Indian and foreign equity, both direct and indirect;

   (ii) the details of persons having control over it; and

   (iii) compliance with rule 10:

Provided that the Central Government may exempt new authorised entities that have turnover not exceeding such amount as may be specified on the portal from the requirement to make such submission.

Explanation.—For the purposes of sub-clause (i), direct and indirect foreign equity shall be determined in accordance with the policy issued by the Government of India from time to time in respect of foreign direct investment;

(b) report any change in respect of the following to the Central Government on the portal, namely:—

   (i) change in its shareholders resulting from an acquisition, which shall be reported within fifteen days from the date of such change:

   Provided that in relation to a new authorised entity that is listed on the stock exchange, only such change in shareholdings as is required to be disclosed under the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 made under the Securities and Exchange Board of India Act, 1992 (15 of 1992) or the bye-laws or listing conditions of the stock exchange concerned, shall be required to be reported under this sub-clause;

(ii) change in the name under which it has been registered under the Companies Act, 2013 (18 of 2013), accompanied by certified copy of the certificate of such registration, which shall be reported within thirty days from the date of issue of such certificate; and

(iii) change in its details, including in respect of foreign equity, control, address and contact details and any other such material change in the details submitted previously, which shall be reported within fifteen days of such change; and

(c) furnish to the Central Government such documents, accounts, estimates, returns, reports or other information as the Central Government may require such new authorised entity to furnish, which shall be furnished within such period as the Central Government may specify.

(2) Every new authorised entity shall nominate and communicate to the Central Government and the designated agency, in such form and manner as specified on the portal, the details of a nodal person of such new authorised entity, based in India, who shall be responsible for providing any report or information or extending support as required under these rules.

(3) If there is admission of an application for initiation of corporate insolvency resolution process against a new authorised entity under the Insolvency and Bankruptcy Code, 2016 (31 of 2016), such new authorised entity shall—

(a) within forty-eight hours of such admission, inform the Central Government in this regard in writing; and

(b) forthwith furnish to the Central Government, a copy of the order of the National Company Law Tribunal admitting such application.

12. Transfer.—(1) An authorisation may be assigned or transferred only with previous approval of the Central Government in writing, pursuant to a merger, demerger, acquisition or other form of restructuring under applicable law.

(2) Save as provided in sub-rule (1), a new authorised entity shall not—

(a) assign or transfer, in any manner whatsoever, directly or indirectly, in whole or in part, any authorisation granted to it;

(b) enter into any partnership or agreement for such assignment or transfer; or

(c) create any interest in such authorisation in favour of a third party.

13. Renewal.—(1) A new authorised entity may submit an application for renewal of authorisation, in such form and manner as specified on the portal, at least twelve months prior to the expiry of the authorisation, accompanied by processing fee as specified in Schedule A.

(2) On receipt of a written request from a new authorised entity, the Central Government may permit an application after the period specified in sub-rule (1), if it is satisfied that there was sufficient cause for not making such application within such period, subject to payment of such late fees as the Central Government may specify in response to such request.

(3) The Central Government may, in its discretion, on receipt of an application under sub-rules (1) or (2), renew the authorisation for such period as may be decided by the Central Government, subject to a maximum of twenty years.

(4) Every renewal of authorisation under sub-rule (3) shall be subject to the applicable law at the time of such renewal.

(5) If the authorisation is not renewed, the new authorised entity shall give every user of its miscellaneous telecommunication services at least thirty days prior notice of expiry of its authorisation and of the options available to such users.

(6) Every new authorised entity shall maintain the quality of miscellaneous telecommunication service and telecommunication network till the expiry of its authorisation.

14. Revocation of authorisation.—(1) The Central Government may, without prejudice to any action that may be taken under section 21 of the Act, by order, revoke an authorisation in the following circumstances, namely:—

(a) if, at any stage it is found that any of the representations, submissions or documents that had been provided by a new authorised entity with or during the processing of an application for authorisation were false;

(b) if, a new authorised entity is directed to be placed into liquidation or is ordered to be wound up; or

(c) if, the Telecom Regulatory Authority of India, in accordance with the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), recommends revocation of authorisation.

(2) Prior to issuing any order under sub-rule (1) on occurrence of events specified in clauses (a) and (c) of sub-rule (1), the Central Government shall give an opportunity of being heard to the new authorised entity referred to in sub-rule (1).

(3) Every order under sub-rule (1) shall be published by the Central Government on the portal and be effective from the sixty-first day from the date of publishing of such order, and the new authorised entity shall give public notice of such order of revocation within forty-eight hours of it being published on the portal, and shall adhere to sub-rules (4) and (5) of rule 77.

15. Surrender of authorisation.—(1) A new authorised entity seeking to surrender an authorisation, shall submit an application in such form and manner as specified on the portal, accompanied by an undertaking, and other information as may be specified on the portal.

(2) The Central Government may, approve or reject an application submitted under sub-rule (1), and if approved, the details relating to the authorisation that is surrendered shall be published by the Central Government on the portal.

(3) The new authorised entity surrendering its authorisation under this rule shall within forty-eight hours of such details being published on the portal—

(a) give public notice of such surrender;

(b) give every user of its miscellaneous telecommunication services notice of—

(i) the effective date of surrender, which shall be thirty-first day from the date of such notice to the user; and

(ii) the options available to such users; and

(c) communicate to the Central Government the effective date of such surrender as communicated to users under clause (b).

(4) Every new authorised entity shall maintain the quality of miscellaneous telecommunication services and telecommunication network till the effective date referred to in clause (b) of sub-rule (3).

(5) Every new authorised entity shall pay all amounts due and payable to the Central Government till the effective date of surrender referred to in clause (b) of sub-rule (3), including in respect of authorisation fees.

(6) The new authorised entity surrendering its authorisation under this rule shall not be entitled to refund of any fees or charges paid in respect of, or under such authorisation.

16. Actions pursuant to revocation, surrender or expiry of authorisation.—On revocation, surrender or expiry of the authorisation held by a new authorised entity—

(a) the spectrum assigned in respect of such authorisation, if any, to such entity shall stand withdrawn from the effective date of such revocation, surrender or expiry; and

(b) such entity shall manage its radio equipment in accordance with applicable law.

17. Consequence of migration.—(1) If a new authorised entity submits an application for migration under the Telecommunications (Terms and Conditions for Migration) Rules, 2026, the relinquishment of any overlapping authorisation of such new authorised entity shall become effective on the effective date of such migration.

(2) The relinquishment of the overlapping authorisation shall be without prejudice to rights and liabilities arising from such overlapping authorisation, which shall remain applicable in accordance with the Telecommunications (Terms and Conditions for Migration) Rules, 2026.

18. Set off.—(1) The Central Government may adjust or set off any amount payable by a new authorised entity to the Central Government against any amount payable by it to such new authorised entity, whether such amount is presently due or may become due at any time in future, including any amount arising from the encashment, claim or appropriation of the guarantee.

(2) The Central Government shall, subsequent to any action taken under sub-rule (1), inform the new authorised entity of such set-off.

19. Recovery of dues.—Without prejudice to other modes of recovery, any amount due to the Central Government by a new authorised entity, if not paid, shall be recovered as an arrear of land revenue.

20. Power to call for information.—The Central Government may, for the purposes of giving effect to these rules, require a new authorised entity to furnish such information as it may call for.

21. Power to relax.—Where the Central Government considers it necessary or expedient so to do, on a request made by a new authorised entity or otherwise, on occurrence of a natural calamity or any event which in its opinion has prevented such new authorised entity or class of similarly situated new authorised entities from performance of any of its obligations under these rules, by order and for reasons to be recorded in writing, relax such performance for such period and subject to such terms and conditions as it may decide.

22. Power to issue orders, directions or guidelines.—The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules, which shall constitute the terms and conditions applicable to every new authorised entity.

CHAPTER IV
TECHNICAL AND OPERATING CONDITIONS

23. Telecommunication network.—(1) Every new authorised entity that holds an authorisation under these rules, while conforming with the scope of such authorisation, may establish, operate, maintain or expand telecommunication network and may also possess radio equipment, without requiring separate authorisation under clauses (b) or (c) of sub-section (1) of section 3 of the Act:

Provided that in respect of assignment and use of spectrum, sub-rule (5) of rule 7 shall apply.

(2) Every new authorised entity shall establish, operate, maintain or expand the telecommunication network for provision of miscellaneous telecommunication services pursuant to its authorisation in accordance with the Act and rules made thereunder, and shall ensure that such telecommunication equipment, telecommunication network used, and such miscellaneous telecommunication services provided are in conformity with applicable standards and conformity assessment measures that the Central Government may notify under section 19 of the Act.

(3) Every new authorised entity shall furnish technical details of miscellaneous telecommunication services and the telecommunication network being used to provide such miscellaneous telecommunication services, including the details of technology deployed by it, to the Central Government or the designated agency, at such times as may be required pursuant to any direction that the Central Government may issue in this regard.

(4) Every new authorised entity shall make its own arrangements, including in respect of right of way, for establishing telecommunication networks and shall be solely responsible for the establishment, operation, maintenance, expansion and commissioning of necessary infrastructure, telecommunication equipment and systems, and all aspects of its telecommunication network:

Provided that such new authorised entity may take telecommunication network, passive telecommunication infrastructure or telecommunication resources, as the case may be, on mutually agreed terms from other new authorised entities or licensees.

(5) The non-availability of right of way or delays in obtaining right of way permission by the new authorised entity shall not be a cause or ground for non-fulfilment of the rollout obligations or non-compliance with any other obligations under these rules.

(6) Every new authorised entity shall adhere to orders, directions or guidelines that the Central Government may issue in respect of the following, namely:—

(a) deployment of energy efficient telecommunication equipment; and

(b) preferential market access for procurement of indigenously manufactured telecommunication equipment.

24. Location of telecommunication network elements.—(1) Every new authorised entity shall, prior to establishment or expansion of telecommunication network in security sensitive areas as may be specified by the Central Government, apply to the Central Government on the portal, for its approval.

(2) Every new authorised entity shall ensure that—

(a) all systems of its telecommunication network,—

(i) owned or taken as a service from another new authorised entity or licensee; or

(ii) on lease, hire or sharing basis from another new authorised entity or licensee;

are located within its service areas of authorisations for provision of miscellaneous telecommunication services:

Provided that in cases where telecommunication network is taken as a service from a cloud-hosted telecommunication network provider authorised under applicable law, the systems of such telecommunication network may be located anywhere in India; and

(b) all data, logs and information associated with its telecommunication network shall be stored within India and no copies of such data, logs and information shall be routed, shared or made available outside India.

25. Sharing of telecommunication network and infrastructure.—(1) A new authorised entity that holds different authorisations may share its passive telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network for providing miscellaneous telecommunication services permitted under the scope of its authorisations subject to adherence to the conditions specified under these rules.

(2) The new authorised entity as referred to in sub-rule (1), may enter into mutual agreements with other new authorised entity or licensee, for sharing its telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network with such other new authorised entity or licensee.

26. Commencement of provision of miscellaneous telecommunication services to users.—(1) Every new authorised entity shall, after providing prior intimation to the Central Government on the portal, commence provision of any miscellaneous telecommunication service permitted under the scope of its authorisation.

(2) Every new authorised entity shall within fifteen days from the date of commencement of provision of miscellaneous telecommunication services to users inform to the Central Government the date of commencement of miscellaneous telecommunication services to users.

27. Provision of miscellaneous telecommunication services.—(1) Every new authorised entity shall—

(a) not discriminate between users registered for its miscellaneous telecommunication services with regard to commercial principles for provision of such telecommunication services; and

(b) issue or cause to be issued, in its own name, bills, invoices or vouchers, by whatever name called, to its users for use of the miscellaneous telecommunication services with adequate details to users about the genuineness of such bills, invoices or vouchers.

(2) The Central Government may specify on the portal the restrictions on the provision or use of miscellaneous telecommunication services in restricted areas falling near the international borders of the territory of India, the Line of Control, the Line of Actual Control of India or any other areas as may be specified on the portal:

Provided that in such restricted areas, the Central Government may allow the provision or use of such telecommunication services to specified users and a new authorised entity shall facilitate the same based on directions that the Central Government may issue in this behalf.

(3) Save as provided in rules 14, 15 and 77, the new authorised entity shall ensure continuity of the miscellaneous telecommunication services to its users.

(4) Every new authorised entity shall establish and publicise necessary mechanisms including an online mechanism to enable users to register any grievance pertaining to subscribed miscellaneous telecommunication services and to redress such grievance, in accordance with applicable law.

(5) Any dispute with regard to the provision of miscellaneous telecommunication service shall only be between a user and the new authorised entity and such new authorised entity shall duly inform the same to the user before provision of such telecommunication services, and the Central Government shall not bear any liability or responsibility in the matter.

(6) Every new authorised entity shall indemnify the Central Government against all claims, costs, charges or damages arising from any claims from users for any reason whatsoever.

(7) Every new authorised entity shall, while providing any telecommunication resource to another new authorised entity or licensee, satisfy itself that such new authorised entity or licensee is eligible to obtain such telecommunication resource.

(8) Every new authorised entity shall, while obtaining any telecommunication resource from another new authorised entity or licensee, satisfy itself that such new authorised entity or licensee is eligible to provide such telecommunication resource.

28. Right to inspect and undertake assessments.—(1) The Central Government may, for the purposes of monitoring adherence to these rules, after issuing a reasonable notice to the new authorised entity in this regard,—

(a) access and inspect the sites where telecommunication equipment and telecommunication network are established for provision of miscellaneous telecommunication services, including within a user's premises;

(b) audit processes or systems established by such new authorised entity for compliance of these rules:

Provided that no notice shall be provided to such new authorised entity, if the Central Government considers that immediate action is necessary or expedient in public interest:

Provided further that the Central Government, may appoint a designated agency to audit processes or systems established by that new authorised entity for adherence to these rules, on such charges that the Central Government may determine, which shall be payable by that new authorised entity:

Provided also that such designated agency shall not collect nor require the disclosure of any information, the disclosure of which may harm the competitive position of any user or the new authorised entity, including any confidential data, commercially price sensitive data, trade secrets, intellectual property, or information covered by fiduciary relationship from the telecommunication network or premises of that new authorised entity or user:

Provided also that if the Central Government considers the collection of information of new authorised entity that is covered by the third proviso is necessary for arriving at the findings of the audit, then it may direct the designated agency to collect such data and the decision of the Central Government in this regard shall be final.

(2) Every new authorised entity shall provide the necessary facilities and support to facilitate the audit and inspection as required under sub-rule (1).

29. Confidentiality of information.—(1) Every new authorised entity shall prior to commencement of miscellaneous telecommunication services, confirm in writing to the Central Government that it has taken all necessary steps to ensure adherence to the applicable law to protect data privacy and confidentiality of user information, including such compliance by its employees and consultants.

(2) Every new authorised entity shall not share any information relating to its telecommunication network with any other person except with the prior approval of the Central Government in writing:

Provided that no such approval shall be required for providing such details of the telecommunication network, as may be required by its telecommunication equipment suppliers or manufacturers.

CHAPTER V
SECURITY CONDITIONS

30. Management of new authorised entity.—(1) Every new authorised entity shall ensure the following, namely:—

(a) majority of directors on the board of such new authorised entity shall be Indian citizens.

(b) the chief officer in charge of telecommunication network, security and system administrators of such new authorised entity shall be resident Indian citizens.

(2) Every new authorised entity shall ensure security vetting of any foreign nationals by the Ministry of Home Affairs in the Government of India—

(a) prior to the appointment of such foreign national to the positions of the chairman, managing director, chief executive officer or chief financial officer, and such security vetting shall be done on an annual basis for the duration of such appointment; and

(b) prior to the deployment of such foreign nationals for the establishment operation, maintenance or expansion of its telecommunication network.

(3) Every new authorised entity shall apply for the security vetting provided in sub-rule (2), in accordance with the orders, directions or guidelines issued by the Central Government, and the decision of the Ministry of Home Affairs in the Government of India in this regard shall be binding on such new authorised entity.

31. Enrolment of users and activation of miscellaneous telecommunication services.—(1) Every new authorised entity shall, prior to enrolment and activation of miscellaneous telecommunication services of a user, undertake identification of such user, in accordance with such orders, directions or guidelines as the Central Government may issue in this behalf, and through any method as such new authorised entity may deem fit.

(2) Every new authorised entity shall, at the time of enrolment of a user, collect and maintain the details of information of such user in its database, including subscriber data record for each miscellaneous telecommunication service, and maintain an updated databased of its users, in accordance with the orders, directions or guidelines issued by the Central Government.

(3) Every new authorised entity shall provide access to the database maintained under sub-rule (2), and to the traceable identity of a user to the Central Government, the authorised agency or the designated agency.

32. Data to be located in India.—No new authorised entity shall transfer user information to any person or place outside India:

Provided that nothing in this rule shall restrict any financial disclosure as may be required under these rules or as under applicable law.

33. Maintenance of records.—(1) Every new authorised entity shall maintain and store records of all operations and command logs, which shall include the details of command given along with the details of executing authority, date,

time and place, in a manner so as to enable access to the Central Government or designated agency—

(a) on real-time basis, for a minimum period of twelve months; and

(b) on a non-real time basis in digital mode for the next twenty-four months.

(2) Every new authorised entity shall maintain all commercial records, subscriber data record, call data record or call detail record, exchange detail record, internet protocol detail record or internet protocol data record and any other similar records for all of miscellaneous telecommunication services provided by such new authorised entity, in accordance with the orders, directions or guidelines issued by the Central Government.

(3) Every new authorised entity shall provide the details of the records maintained under sub-rule (2) to the Central Government or the designated agency, in such form and manner as specified on the portal.

34. Securing information transacted through telecommunication network.—(1) Every new authorised entity shall take adequate and timely measures to ensure that the messages communicated through the telecommunication network are secure and protected.

(2) Every new authorised entity shall ensure privacy of messages communicated through its telecommunication network and that unauthorised interception of messages does not take place:

Provided that nothing in this sub-rule shall prevent such new authorised entity from providing records of messages and other data from its telecommunication network to the Central Government, the authorised agency or the designated agency, on receipt of a direction in exercise of powers under the applicable law.

35. Prevention of use of telecommunication network for unauthorised or unlawful activities.—Every new authorised entity shall ensure that its telecommunication network is used only for providing miscellaneous telecommunication services for which it is authorised, to *bona fide* users and not for undertaking any activities or commissioning any action that constitutes an offence under the Act, Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or any other law for the time being in force, including laws prohibiting crimes against the State.

36. Trusted sources and trusted products.—(1) For the purpose of this rule, the designated authority shall be the National Cyber Security Coordinator of the Central Government, who shall determine the categories of telecommunication equipment for which the security requirements related to trusted sources and trusted products are applicable, and specify the same on its website for this purpose.

(2) The designated authority may specify the list of trusted sources along with the associated trusted products for the categories of telecommunication equipment as specified under sub-rule (1).

(3) The designated authority may specify the procedure for inclusion of telecommunication equipment in the list of trusted sources and trusted products referred to in sub-rule (2).

(4) The designated authority may also specify a list of persons from whom no procurement of telecommunication equipment may be undertaken.

(5) Every new authorised entity shall adhere to conditions as specified by the designated authority on its website for procurement of telecommunication equipment and establish, operate, maintain and expand only trusted products in its telecommunication network.

(6) Every new authorised entity shall register itself on the website specified by the designated authority and provide relevant details relating to the telecommunication network or telecommunication equipment as may be required by such authority.

(7) Every new authorised entity shall, prior to the procurement of telecommunication equipment and associated trusted products or categories thereof, for establishing its telecommunication network or any upgradation or expansion thereof, adhere to the following process, namely:—

(a) if the designated authority has already determined certain telecommunication equipment as trusted products and their corresponding trusted sources under sub-rule (2), such new authorised entity shall ensure adherence to the same and submit to the designated authority,—

(i) the list of telecommunication equipment and the sources from which it is planning to procure; and

(ii) periodic reports of procurement of telecommunication equipment and sources thereof, and the locations of deployment of the same;

(b) if clause (a) is not applicable, such new authorised entity shall submit to the designated authority, the details of the telecommunication equipment and their sources from which it is intending to procure the same, as per the procedure specified by the designated authority for this purpose under sub-rule (3);

(c) if the designated authority approves the telecommunication equipment and their sources as submitted under

clause (b) above, such new authorised entity shall proceed to procure and establish the same;

(d) such new authorised entity shall adhere to such directions or guidelines, including the guidance for enhanced supervision and effective control of telecommunication networks, that the Central Government or the designated authority may issue in this behalf.

(8) Every new authorised entity shall provide relevant technical, operational, supply chain, and security-related information relating to the telecommunication equipment deployed or being deployed in its telecommunication network, on receiving a request from the Central Government or the designated authority.

(9) Every new authorised entity shall submit to the Central Government or the designated agency, compliance reports under this rule, through the portal, within such date as may be specified therein.

(10) These rules shall be without prejudice to any other measure taken by the Central Government, that it may consider necessary or expedient for the purpose of national security under section 21 of the Act, which shall be binding on new authorised entities.

37. Prohibition of certain activities.—(1) A telecommunication network of a new authorised entity established under these rules shall not be used for transmission of—

(a) messages which are illegal or unauthorised as per applicable law, including rules made under the Information Technology Act, 2000 (21 of 2000); or

(b) messages infringing copyright and intellectual property right in any form.

(2) Every new authorised entity shall take necessary measures to prevent transmission of message in violation of sub-rule (1), in its telecommunication network, on receipt of such direction from the Central Government or an order of the Court.

(3) Every new authorised entity shall ensure that its telecommunication network or installation thereof does not become a safety or health hazard and is not in contravention of any applicable law.

38. General security conditions.—(1) Every new authorised entity shall—

(a) ensure security of its telecommunications network;

(b) provide facilities as the Central Government may require to respond to any situations of espionage, subversive acts, sabotage or any other unlawful activity; and

(c) ensure capability to suspend provision of miscellaneous telecommunication services in such areas and subject to such accuracy as the Central Government or State Government may specify in respect of the boundary of the area so specified.

(2) Every new authorised entity shall adhere to maps provided by the Survey of India for the precise delineation of service area of authorisation along international borders, if any.

(3) Every new authorised entity shall implement appropriate technical and organisational measures, and reasonable security safeguards to ensure effective observance of the provisions of these rules.

CHAPTER VI
SPECIFIC CONDITIONS FOR TYPES OF MISCELLANEOUS TELECOMMUNICATION SERVICES

39. Applicability of Chapter VI.—(1) In addition to the rules mentioned in Chapter I to Chapter V, the rules mentioned in different Parts of this Chapter shall also apply to a new authorised entity providing specific miscellaneous telecommunication services specified in the scope of the relevant Part of this Chapter.

(2) In the event of any conflict between the provisions of Chapter I to Chapter V and Chapter VI, the rules mentioned in Chapter VI shall prevail to the extent of such conflict.

PART A
PUBLIC MOBILE RADIO TRUNKING SERVICE AUTHORISATION

40. Applicability of Part A.—This Part shall apply to a new authorised entity that holds public mobile radio trunking service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds public mobile radio trunking service authorisation.

41. Scope of public mobile radio trunking service authorisation.—(1) The public mobile radio trunking service authorisation consists of authorisation for provision of public mobile radio trunking services.

(2) Every new authorised entity that holds a public mobile radio trunking service authorisation may provide public mobile radio trunking services through wireless terrestrial networks.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which requires a separate authorisation from the Central Government.

42. Fees and charges.—(1) For the purposes of this Part, the expressions—

(a) "gross revenue" of the new authorised entity shall include all types of revenues accrued to the new authorised entity from its operations and activities and all income accrued from any source whatsoever, including but not limited to, dividend, rent, profit on sale of fixed assets and miscellaneous income, without any set-off for related items of expenses;

(b) "applicable gross revenue" means the revenue, which shall be equal to gross revenue of the new authorised entity as reduced by the items listed below,—

(i) revenue from operations other than telecommunication activities or operations;

(ii) revenue from activities under an authorisation, permission or registration issued by the Ministry of Information and Broadcasting;

(iii) receipts from the Digital Bharat Nidhi; and

(iv) revenue falling under the following items, namely:—

(A) income from dividend;

(B) income from interest;

(C) capital gains on account of profit on sale of fixed assets and securities;

(D) gains from foreign exchange rates fluctuations;

(E) income from property rent;

(F) insurance claims;

(G) bad debts recovered; and

(H) excess provisions written back:

Provided that the Central Government may specify the description and conditions applicable to these revenue sources and the manner of their computation.

(c) "adjusted gross revenue" means revenue which shall be equal to applicable gross revenue;

(d) "spectrum charges linked to adjusted gross revenue", in relation to public mobile radio trunking service authorisation, means the fees in respect of assignment of spectrum, calculated as a percentage of adjusted gross revenue at such rate specified under the applicable law.

(2) Every new authorised entity shall pay an annual authorisation fee for public mobile radio trunking service authorisation, from the effective date of such authorisation, which shall be eight per cent. of the adjusted gross revenue subject to the amounts specified in sub-rules (3) to (5), as applicable.

(3) From the second year of the effective date of the authorisation, and for each subsequent year the authorisation fee shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A.

(4) In the event of renewal of public mobile radio trunking service authorisation, the authorisation fee from the effective date of renewal shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A.

(5) In the event of migration of license to the terms and conditions of public mobile radio trunking service authorisation, the authorisation fee from the effective date of migration shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A:

Provided that if the licensee has migrated within twelve months of the effective date of license, the authorisation fee as referred to in clause (a) of sub-rule (5) shall be payable for the remaining period till the completion of twelve months from the effective date of the license.

(6) The authorisation fee under sub-rules (2) to (5) shall be inclusive of the amount attributable to the Digital Bharat Nidhi, which shall be equal to five-eighths of such authorisation fee.

(7) The rate of authorisation fee or amount attributable to Digital Bharat Nidhi, as specified in sub-rules (2) to (5), may be varied at any time within the duration of the authorisation.

(8) If the new authorised entity acquires the right to use of spectrum under the applicable law, in addition to the authorisation fee, the spectrum charges linked to adjusted gross revenue, shall be payable in accordance with rule 43.

43. Schedule of payment.—(1) The authorisation fee or spectrum charges linked to adjusted gross revenue determined under these rules shall be payable by a new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on a pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee and spectrum charges linked to adjusted gross revenue in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected revenue for that quarter, subject to a minimum amount equal to the authorisation fee and spectrum charges linked to adjusted gross revenue paid for the previous quarter:

Provided that the new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of the next financial year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of revenue on accrual basis for the relevant quarter, and shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of revenue for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney.

(4) Every new authorised entity shall, on or before the thirtieth of June of each calendar year—

(a) submit statement of revenue for all quarters of the previous financial year, in such form and manner as specified on the portal, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013); and

(b) make the final adjustment of the authorisation fee and spectrum charges linked to adjusted gross revenue, including applicable interest as per sub-rule (5), for the previous financial year, based on sub-rule (2).

(5) In the event of any delay in payment of authorisation fee or spectrum charges linked to adjusted gross revenue or any other dues payable by the new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall submit a reconciliation statement between the figures appearing in the submitted quarterly statements of revenue under sub-rule (3) with those appearing in annual accounts, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), accompanied by a copy of the published annual accounts and audit report within seven days of the date of signing of the audit report or within the timeline provided under the Companies Act, 2013 (18 of 2013) for filing of annual financial statements, whichever is earlier:

Provided that the annual financial statements, the statement of revenue, and the reconciliation statement shall be prepared in accordance with such norms or orders or directions as may be specified on the portal.

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity, in such manner as specified on the portal.

44. Guarantee requirements for authorisation.—(1) Every new authorised entity shall, for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee, in such form and manner, as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any Scheduled Commercial Bank or public financial institution, with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government.

(2) The purpose of the guarantee as specified in sub-rule (1) is to provide security for compliance of all the terms and conditions of the authorisation, including but not limited to payment of authorisation fee, spectrum charges linked to adjusted gross revenue, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders, directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of public mobile radio trunking service authorisation in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of public mobile radio trunking service authorisation in Schedule A; or

(b) twenty per cent. of combined estimated sum, calculated in accordance with the procedure as specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters;

(ii) spectrum charges linked to adjusted gross revenue payable for two quarters; and

(iii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period, by a minimum of one year, of such guarantee at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit, without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in this sub-rule, allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in the following cases, namely:—

(a) non-payment of authorisation fee, spectrum charges linked to adjusted gross revenue, or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provide in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

45. Assessment of authorisation fees and spectrum charges linked to adjusted gross revenue.—(1) The Central Government may carry out the assessment of authorisation fees and spectrum charges linked to adjusted gross revenue, in accordance with the procedure as specified on the portal.

Explanation.—For the purposes of this rule, the expression "assessment" shall include reassessment and recomputation.

(2) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and a separate statement of computation of authorisation fee for each authorisation.

(3) Every new authorised entity shall, in respect of each authorisation it holds—

(a) compile and maintain accounting records, that are sufficient to show and explain its transactions in respect of each completed quarter throughout the duration of the authorisation or of such lesser periods as may be specified on the portal, fairly presenting the costs, including capital costs, revenue, and financial position of such new authorised entity's business under the authorisation including a reasonable evaluation of the assets employed in and the liabilities attributable to that new authorised entity's business for the quantification of revenue or any other purpose;

(b) ensure that bilateral settlement of accounts with other new authorised entities or licensees which holds any authorisation or license, are conducted through normal banking channels in a transparent manner; and

(c) furnish to the Central Government details of the mechanism for the settlement of accounts with such other new authorised entities or licensees, including in respect of charges for usage of network and facilities, as well as details of the actual settlements.

(4) Every new authorised entity shall maintain and preserve billing and other accounting records relating to the provision of public mobile radio trunking services under its authorisation, for each financial year, in electronic form as well as hard copy, for a period of at least six years from the date of publishing of its duly audited and approved annual accounts:

Provided that if such new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis, and on such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014, made under the Companies Act, 2013 (18 of 2023):

Provided further that if the authorisation fee, spectrum charges linked to adjusted gross revenue or any other charges for any period are under dispute, the said records shall be retained until such dispute is resolved.

(5) The Central Government may, at any time, direct the new authorised entity to supply information or provide access to the books of annual accounts that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(6) The Central Government may, at any time, subject the records of a new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fees, spectrum charges linked to adjusted gross revenue and any other charges.

(7) The Central Government may, on forming an opinion that the statements of revenue in respect of public mobile radio trunking service authorisation or annual accounts submitted by the new authorised entity are inaccurate or misleading, or for any other reason, order audit of the accounts of such new authorised entity, by appointing one or more auditors, who shall have the same powers which the auditors of the company have under sub-section (1) of section 143 of the Companies Act, 2013 (18 of 2013), and on such charges that the Central Government may determine, which shall be payable by that new authorised entity.

(8) If any new authorised entity fails to submit the annual accounts, audit report and other required documents under sub-rules (4) and (6) of rule 43 within nine months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee or spectrum charges linked to adjusted gross revenue, on best judgement basis:

Provided that before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(9) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year except as provided under sub-rule (10).

(10) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has not been subject to assessment is likely to be equivalent to an amount of fifty lakh rupees or more for such financial year.

(11) For the purposes of computing the period of limitation as specified under sub-rule (9) and sub-rule (10), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(12) Notwithstanding anything contained in sub-rule (9) and sub-rule (10), assessment of authorisation fee or spectrum charges linked to adjusted gross revenue may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(13) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee and spectrum charges linked to adjusted gross revenue, issue directions to new authorised entity, in respect of any miscellaneous telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

46. Technical and operating conditions.—(1) Every new authorised entity shall not interconnect its telecommunication network with the telecommunication network established for provision of public mobile radio trunking services by any other new authorised entity or licensee.

(2) Every new authorised entity may establish connectivity amongst its repeater stations within the service area for providing public mobile radio trunking services.

(3) Every new authorised entity may establish outgoing connectivity of its telecommunication network with public switched telephone network or public land mobile network, subject to such limitations as the Central Government may specify in the orders, directions or guidelines issued by it in this behalf.

(4) Every new authorised entity may shift the location of the repeater station from one location to another within the geographical area for which spectrum has been assigned:

Provided that the radio coverage resulting from such shifting of location of the repeater station shall remain within the geographical area for which spectrum has been assigned.

(5) Every new authorised entity may install additional repeater station within the geographical area for which spectrum has been assigned, after obtaining the prior approval of the Central Government in writing, by making an application on the portal in respect of—

(a) additional block of frequencies for the new repeater station; or

(b) use of assigned frequencies within such geographical area, at the new repeater station by way of partial shifting of a few frequency carriers out of the pool of assigned frequencies:

Provided that the radio coverage resulting from the installation of the additional repeater station, shall remain within the geographical area for which spectrum has been assigned.

(6) Every new authorised entity may replace its radio equipment and user terminals, after obtaining the prior approval of the Central Government in writing, pursuant to an application made on the portal and accompanied by such documents as may be specified therein.

(7) Every new authorised entity shall ensure that the user terminal is operated in accordance with the terms and conditions of the authorisation, and relevant orders, directions or guidelines that the Central Government may issue from time to time for this purpose.

(8) Every new authorised entity may undertake the sale, hire, purchase, lease or rent of user terminals, and the users shall be given the option to obtain the user terminal from any source that meets the standards notified by the Central Government under section 19 of the Act.

47. Rollout obligations.—(1) Every new authorised entity shall rollout the telecommunication network for provision of public mobile radio trunking services, including establishment of at least one repeater station in the geographical area for which spectrum has been assigned by the Central Government, within twelve months from the date of such assignment.

(2) Every new authorised entity shall register with the Central Government on the portal, in accordance with the orders, directions or guidelines issued by the Central Government, for verification of compliance of rollout obligations as specified in sub-rule (1).

(3) On successful verification under sub-rule (2), the date of registration with the Central Government shall be treated as the date of compliance to the rollout obligations.

(4) In case of failure on verification under sub-rule (2), the new authorised entity shall re-register, after necessary corrections, and in such cases, the date of re-registration with the Central Government, on successful verification, shall be treated as the date of compliance of the rollout obligation.

(5) Any failure to adhere to the rollout obligations shall be treated as breach of the terms and conditions of the authorisation and shall be dealt with as per the provisions of Chapter VIII of the Act:

Provided that if the rollout obligations are adhered to within thirty days of the expiry of the due date for adhering to such obligations, the Central Government shall consider the same as timely fulfilment of rollout obligations.

(6) In case of failure to adhere to the rollout obligations, in addition to imposition of civil penalty as per the provisions of Chapter VIII of the Act, the spectrum assignment for telecommunication network for public mobile radio trunking services shall be subject to the relevant provisions of the Act and the terms and conditions of spectrum assignment.

48. Security conditions.—(1) Every new authorised entity, at its own cost, shall make arrangements for provision of monitoring facilities in accordance with such orders, directions or guidelines that the Central Government or the designated agency may issue from time to time for this purpose.

(2) Every new authorised entity shall inform the users that they shall be responsible for proper and *bona fide* use of public mobile radio trunking services.

PART B

ENTERPRISE COMMUNICATION SERVICE AUTHORISATION

49. Applicability of Part B.—This Part shall apply to a new authorised entity that holds enterprise communication service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds enterprise communication service authorisation.

50. Scope of enterprise communication service authorisation.—(1) For the purpose of this Part, the expressions—

(a) "audio conferencing service" means a miscellaneous telecommunication service that allows multiple users to join a single audio conference and interact at the same time by providing real-time transmission of voice amongst such users;

(b) "audiotex service" means a miscellaneous telecommunication service that is either an interactive or a non-interactive, non-real time, telecommunication service that provides to users, through standardised procedures, capability to communicate with an audiotex database through telecommunication network;

(c) "cloud based Electronic Private Automatic Branch Exchange service" means providing Electronic Private Automatic Branch Exchange-as-a-service or communications platform-as-a-service to users; and

(d) "voice mail service" means a miscellaneous telecommunication service providing access of voice mailbox attached to a unique telecommunication identifier to a user.

(2) The enterprise communication service authorisation consists of authorisation for the following miscellaneous telecommunication services that are provided to users on commercial basis, namely:—

(a) audio conferencing service;

(b) audiotex service;

(c) cloud-based Electronic Private Automatic Branch Exchange service; and

(d) voice mail service.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication services which requires a separate authorisation from the Central Government.

51. Fees and charges.—(1) For the purposes of this Part B, the expressions—

(a) "gross revenue" of the new authorised entity shall include all types of revenues accrued to such new authorised entity from its operations and activities and all income accrued from any source whatsoever, including but not limited to, interest, dividend, rent, profit on sale of fixed assets and miscellaneous income, without any set-off for related items of expenses;

(b) "applicable gross revenue" means the revenue which shall be equal to gross revenue of the new authorised entity as reduced by the items listed below—

(i) revenue from operations other than telecommunication activities or operations;

(ii) revenue from activities under an authorisation, permission or registration issued by the Ministry of Information and Broadcasting;

(iii) receipts from the Digital Bharat Nidhi; and

(iv) revenue falling under the following items, namely:—

(A) income from dividend;

(B) income from interest;

(C) capital gains on account of profit on sale of fixed assets and securities;

(D) gains from foreign exchange rates fluctuations;

(E) income from property rent;

(F) insurance claims;

(G) bad debts recovered; and

(H) excess provisions written back:

Provided that the Central Government may specify the description and conditions applicable to these revenue sources and the manner of their computation.

(c) "adjusted gross revenue" means revenue which shall be calculated by excluding from the applicable gross revenue, call charges in respect of public switched telephone network or public land mobile network, actually paid to other new authorised entities or licensees which hold any authorisation or license.

(2) Every new authorised entity shall pay an annual authorisation fee for enterprise communication service authorisation, from the effective date of such authorisation, which shall be eight per cent. of the adjusted gross revenue subject to the amounts specified in sub-rules (3) to (5), as applicable.

(3) From the second year of the effective date of the authorisation and for each subsequent year the authorisation fee shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) one lakh rupees.

(4) In the event of renewal of enterprise communication service authorisation, the authorisation fee from the effective date of renewal shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) one lakh rupees.

(5) In the event of migration of license to the terms and conditions of enterprise communication service authorisation, the authorisation fee from the effective date of migration shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) one lakh rupees:

Provided that if the licensee has migrated within twelve months of the effective date of license, the authorisation fee as referred to in clause (a) of sub-rule (5) shall be payable for the remaining period till the completion of twelve months from the effective date of the license.

(6) The authorisation fee under sub-rules (2) to (5) shall be inclusive of the amount attributable to the Digital Bharat Nidhi, which shall be equal to five-eighths of the authorisation fee.

(7) The rate of authorisation fee or amount attributable to Digital Bharat Nidhi as specified in sub-rules (2) to (5) may be varied at any time within the duration of the authorisation.

52. Schedule of payment.—(1) The authorisation fee determined under these rules shall be payable by a new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on a pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected revenue for that quarter, subject to a minimum amount equal to the authorisation fee paid for the previous quarter:

Provided that the new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of next financial year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of revenue on accrual basis for the relevant quarter, and shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of revenue for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney.

(4) Every new authorised entity shall, on or before the thirtieth of June of each calendar year—

(a) submit statement of revenue for all quarters of the previous financial year, in such form and manner as specified on the portal, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), ; and

(b) make the final adjustment of the authorisation fee, including applicable interest as per sub-rule (5), for the previous financial year based on sub-rule (2), as the case may be.

(5) In the event of any delay in payment of authorisation fee or any other dues payable by the new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall submit a reconciliation statement between the figures appearing in the submitted quarterly statements of revenue under sub-rule (3) with those appearing in annual accounts, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), accompanied by a copy of the published annual accounts and audit report within seven days of the date of signing of the audit report or within the timeline provided under the Companies Act, 2013 (18 of 2013) for filing of annual financial statements, whichever is earlier:

Provided that the annual financial statements, the statement of revenue, and the reconciliation statement shall be prepared in accordance with such norms, orders or directions as may be specified on the portal.

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity in such manner as specified on the portal.

53. Guarantee requirements for authorisation.—(1) Every new authorised entity shall for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee in such form and manner, as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any Scheduled Commercial Bank or public financial institution, with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government.

(2) The purpose of the guarantee as specified in sub-rule (1) is to provide security for compliance of all the terms and conditions of the authorisation, including but not limited to payment of authorisation fee, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders, directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of enterprise communication service authorisation in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of enterprise communication service authorisation in Schedule A; or

(b) twenty per cent. of combined estimated sum, calculated in accordance with the procedure as specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters; and

(ii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period, by a minimum of one year, of such guarantee at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in this sub-rule, allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in the following cases, namely:—

(a) non-payment of authorisation fee, or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provide in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

54. Assessment of authorisation fees.—(1) The Central Government may carry out the assessment of authorisation fees in accordance with the procedure as specified on the portal.

Explanation.—For the purposes of this rule, the expression "assessment" shall include reassessment and re-computation.

(2) Every new authorised entity shall submit relevant documents in support of the amount excluded from applicable gross revenue to arrive at adjusted gross revenue in accordance with the orders, directions or guidelines issued by the Central Government.

(3) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and a separate statement of computation of authorisation fee for each authorisation.

(4) Every new authorised entity shall, in respect of each authorisation it holds—

(a) compile and maintain accounting records, that are sufficient to show and explain its transactions in respect of each completed quarter throughout the duration of the authorisation or of such lesser periods as may be specified on the portal, fairly presenting the costs, including capital costs, revenue, and financial position of such new authorised entity's business under the authorisation including a reasonable evaluation of the assets employed in and the liabilities attributable to that new authorised entity's business for the quantification of revenue or any other purpose;

(b) pay the actual public switched telephone network or public land mobile network related call charges to other new authorised entities or licensees which hold any authorisation or license;

(c) ensure that bilateral settlement of accounts with other new authorised entities or licensees which hold any authorisation or license are conducted through normal banking channels in a transparent manner; and

(d) furnish to the Central Government details of the mechanism for the settlement of accounts with such other new authorised entities or licensees, including in respect of charges for usage of network and facilities, as well as details of the actual settlements.

(5) Every new authorised entity shall maintain and preserve billing and other accounting records relating to the provision of enterprise communication service authorisation, for each financial year, in electronic form as well as hard copy, for a period of at least six years from the date of publishing of its duly audited and approved annual accounts:

Provided that if such new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis, and on such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014 made under the Companies Act, 2013 (18 of 2013):

Provided further that if the authorisation fee, or any other charges for any period are under dispute, the said records shall be retained until such dispute is resolved.

(6) The Central Government may, at any time, direct a new authorised entity to supply information or provide access to the books of annual accounts that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(7) The Central Government may, at any time, subject the records of a new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fees, and any other charges.

(8) The Central Government may, on forming an opinion that the statements of revenue in respect of enterprise communication service authorisation or annual accounts submitted by the new authorised entity are inaccurate or misleading, or for any other reason, order audit of the accounts of such new authorised entity, by appointing one or more auditors, who shall have the same powers which the auditors of the company have under sub-section (1) of section 143 of the Companies Act, 2013 (18 of 2013), and on such charges that the Central Government may determine, which shall be payable by that new authorised entity.

(9) If a new authorised entity fails to submit the annual accounts, audit report and other required documents under sub-rules (4) and (6) of rule 52 within nine months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee, on best judgement basis:

Provided that before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(10) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year except as provided under sub-rule (11).

(11) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has not been subject to assessment is likely to be equivalent to an amount of fifty lakh rupees or more for such financial year.

(12) For the purposes of computing the period of limitation as specified under sub-rule (10) and sub-rule (11), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(13) Notwithstanding anything contained in sub-rule (10) and sub-rule (11), assessment of authorisation fee may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(14) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee, issue directions to new authorised entity, in respect of any miscellaneous telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

55. Technical and operating conditions.—(1) A new authorised entity providing cloud-based Electronic Private Automatic Branch Exchange service shall ensure that—

(a) there is logical partitioning between the components of the platform handling telecommunication resources of different users; and

(b) connectivity between the user and the cloud-based Electronic Private Automatic Branch Exchange is established through the internet connectivity or domestic leased circuit obtained from any other new authorised entity or licensee eligible for providing such connectivity under their authorisation or license.

(2) Every new authorised entity may enter into mutual agreements for obtaining any telecommunication resources from any other new authorised entity or licensee that is eligible to provide such telecommunication resource under their authorisation or license.

(3) Every new authorised entity providing audio conferencing service shall ensure that the audio conferencing system is connected to the telecommunication network such as public switched telephone network, public land mobile network or internet telephony network of any other new authorised entities or licensees providing access services by using network interfaces as per the standards notified under section 19 of the Act.

(4) A new authorised entity shall not allow any illegal passing of telecommunication traffic including national long distance traffic or international long distance traffic.

(5) Every new authorised entity providing audio-conferencing service may use dial out facility using telecommunication resources of more than one other new authorised entity or licensee which holds authorisation or license to provide access services:

Provided that such new authorised entity shall ensure that while using the dial out facility, national or international long distance traffic is not bypassed.

(6) Every new authorised entity shall ensure that calls originating from public switched telephone network, public land mobile network or internet telephony networks are not interconnected with private networks by audio conferencing system of such new authorised entity.

(7) Every new authorised entity shall—

(a) enable a user to retrieve the information at any time by interacting with the audiotex service system; and

(b) ensure that the information stored in audiotex equipment can be disseminated to the user on his user terminal.

(8) Every new authorised entity providing audiotex service shall ensure that dial-out facility is only permitted when a caller has made incoming calls to audiotex service system.

(9) Every new authorised entity shall establish such systems so that a user of voice mail service may leave his voice message in voice mailbox by dialling voice mail box number or retrieve a voice message from his voice mailbox through a telecommunication network.

(10) Every new authorised entity providing audio conferencing service may only provide point-to-point conferencing services to enterprises registered in India, subject to the following conditions, namely:—

(a) calls shall originate and terminate within India;

(b) complete routing and switching of audio-conferencing calls shall remain within India; and

(c) telecommunication identifiers used for such audio conferencing have been assigned to users by the new authorised entity or licensee.

56. Security conditions.—(1) Every new authorised entity providing cloud-based Electronic Private Automatic Branch Exchange service shall maintain a complete log and record of the logical partitioning for a minimum period of two years, and provide such records to the Central Government or designated agency on receiving a direction by the Central Government in this regard.

(2) Every new authorised entity shall ensure that—

(a) storage of voice mail messages and subsequent retrieval by the user is on a non-real time basis; and

(b) there is no dialling out for delivery of the message to the recipient.

(3) Every new authorised entity shall keep a record of the information including the name, address and telecommunication identifier of the users of each enterprise communication services for a minimum period of one year.

(4) Every new authorised entity providing audio conferencing service shall provide detailed information about the conference calls including the parties in conference, date, time, duration of the conference to the Central Government or the designated agency, on receiving a direction by the Central Government in this regard.

PART C
MACHINE-TO-MACHINE SERVICE AUTHORISATION

57. Applicability of Part C.—This Part shall apply to a new authorised entity that holds machine-to-machine service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds machine-to-machine service authorisation.

58. Scope of machine-to-machine service authorisation.—(1) The machine-to-machine service authorisation consists of authorisation to provide machine-to-machine services.

(2) Every new authorised entity may—

(a) establish, operate, maintain or expand wireless personal area network or wireless local area network for providing machine-to-machine services using spectrum exempted from the requirement of assignment under the applicable law; and

(b) own and manage a platform for subscription profile management of machine-to-machine embedded-subscriber identity module.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which may require a separate authorisation from the Central Government.

59. Fees and charges.—There shall be no authorisation fee payable by a new authorised entity.

60. Technical and operating conditions.—(1) Every new authorised entity shall provide machine-to-machine services using machine-to-machine services or machine-to-machine subscriber identity modules obtained from any other new authorised entity or licensee that holds authorisation or license for access services or internet services.

Provided that prior to commencement of provision of each use case of machine-to-machine services to users, the new authorised entity shall intimate the details of such use case to the Central Government on the portal, and on examination of that use case, the Central Government may direct the new authorised entity to discontinue provisioning of such service or adhere to additional security conditions as specified in such direction.

(2) Every new authorised entity, that is a company and intending to own and manage a platform for subscription profile management of machine-to-machine subscriber identity module, shall apply to the Central Government on the portal, and accompanied by such fees as may be specified therein, for its prior approval.

(3) Every new authorised entity shall, while providing machine-to-machine service using wireless personal area network or wireless local area network, connect such network with the telecommunication network of other new authorised entity or licensee, using machine-to-machine services obtained from such other entity or licensee.

(4) Every new authorised entity shall adhere to orders, directions or guidelines that the Central Government may specify in respect of:—

(a) international in-roaming; and

(b) usage and management of machine-to-machine subscriber identity module.

(5) Every new authorised entity shall for subscription profile management of machine-to-machine subscriber identity module, adhere to the standards and conformity assessment measures, including the standards for security of subscription manager-data preparation and subscription manager-secure routing, that the Central Government may notify under section 19 of the Act.

61. Security conditions.—(1) Every new authorised entity shall implement appropriate technical and organisational measures to ensure effective observance of the provisions of these rules.

(2) Every new authorised entity shall maintain and update an online supply chain management system of machine-to-machine subscriber identity module, as well as details of movement of such machine-to-machine subscriber identity module from the new authorised entity to users, and provide such details when required by the Central Government, the authorised agency or the designated agency.

(3) Every new authorised entity shall ensure that machine-to-machine devices are identifiable and traceable using telecommunication identifiers.

(4) Every new authorised entity shall adhere to such orders, directions or guidelines that the Central Government may issue in respect of implementation of restrictive features on machine-to-machine subscriber identity module and securing machine-to-machine enabled devices.

PART D
PRIME MINISTER WI-FI ACCESS NETWORK INTERFACE SERVICE AUTHORISATION

62. Applicability of Part D.—This Part shall apply to a new authorised entity that holds Prime Minister Wi-Fi Access Network Interface service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds Prime Minister Wi-Fi Access Network Interface service authorisation.

63. Scope of Prime Minister Wi-Fi Access Network Interface service authorisation.—(1) For the purpose of this Part, the expressions—

(a) "app", in relation to app provider means, a type of software designed to run on mobile devices or computers to—

(i) register a user;

(ii) authenticate a user and

(iii) discover wi-fi access points that are compliant with wi-fi access network interface in the nearby area and display the same in the application for accessing internet service through such access points.

(b) "app provider" means a person that develops, operates and maintains the app;

(c) "central registry" means a system containing online database containing the details of public data offices, public data office aggregators and app providers;

(d) "public data office" in relation to a public data office aggregator, means a person who establishes, operates, maintains and expands wi-fi access points that are compliant with wi-fi access network interface to deliver internet services to a user;

(e) "public data office aggregator" means a person who aggregate wi-fi access points that are compliant with wi-fi access network interface established by public data offices and performs functions relating to authorisation and accounting; and

(f) "wi-fi access network interface" means a network interface for interworking among software applications used by public data offices, public data office aggregators, app providers and central registry.

(2) Prime Minister Wi-Fi Access Network Interface service authorisation shall be applicable to public data office aggregator or app provider or both.

(3) Prime Minister Wi-Fi Access Network Interface service authorisation consists of authorisation for public data office aggregator or app provider or both for the following miscellaneous telecommunication services, namely:—

(a) aggregate two or more wi-fi access points that are compliant with wi-fi access network interface established, operated, maintained and expanded by public data offices; or

(b) provision of app.

(4) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which may require a separate authorisation from the Central Government.

64. Fees and charges.—There shall be no authorisation fee to be paid by a new authorised entity.

65. Technical and operating conditions.—(1) The central registry shall be established, operated, maintained and expanded by the Central Government or any person designated by it.

(2) Every new authorised entity shall, while performing the functions of a public data office aggregator or app provider or both, adhere to the framework and guidelines on wi-fi access network interface as specified by the Central Government on the portal.

(3) Every new authorised entity performing the functions of a public data office aggregator shall—

(a) aggregate two or more wi-fi access points that are compliant with wi-fi access network interface, being operated by public data offices and authorise such users to avail of internet services that have been authenticated by app provider; and

(b) enter into an agreement with public data offices, specifying the terms and conditions including the following, namely:—

(i) establish, operate, maintain and expand only such wi-fi access points that are compliant with wi-fi access network interface; and

(ii) adhere to the framework and guidelines on wi-fi access network interface as specified by the Central Government on the portal.

(4) Every new authorised entity performing the functions of an app provider shall—

(a) register its app with central registry using its public certificate for signature validation; and

(b) register and authenticate a user, and discover wi-fi access points that are compliant with wi-fi access network interface.

66. Security conditions.—(1) Every new authorised entity shall maintain user information for two years and take necessary steps to ensure compliance with all applicable laws and policies to protect data privacy and confidentiality of user information.

(2) Every new authorised entity shall, subject to terms and conditions of the authorisation, take all necessary steps to safeguard the privacy and confidentiality of any information of a user and its business to whom it provides the telecommunication service.

PART E
IN-FLIGHT AND MARITIME CONNECTIVITY SERVICE AUTHORISATION

67. Applicability of Part E.— This Part shall apply to a new authorised entity that holds in-flight and maritime connectivity service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds in-flight and maritime connectivity service authorisation.

68. Scope of in-flight and maritime connectivity service authorisation.—(1) The in-flight and maritime connectivity service authorisation consists of authorisation for the following miscellaneous telecommunication services which may be provided on ships or aircrafts using wireless connectivity, namely:—

(a) transmission, emission or reception of voice or non-voice messages, including video messages; and

(b) internet service.

(2) Every new authorised entity, in order to provide in-flight and maritime connectivity services shall—

(a) enter into an agreement with a new authorised entity or licensee that holds authorisation or license to provide access services in all twenty-two service areas; and

(b) for establishing connectivity between ships or aircrafts and the telecommunication network of the new authorised entity or licensee referred to in clause (a), enter into an agreement with an entity that holds authorisation or license to provide direct-air-to-ground communication service or national long distance services using very small aperture terminal:

Provided that, in respect of services specified under clause (b) of this sub-rule, for using the telecommunication network, the new authorised entity may also enter into an agreement with an entity that holds authorisation or license to provide internet service in national service area.

(3) Every new authorised entity, in order to provide in-flight and maritime connectivity services, may establish base station or wireless local area network on a ship or an aircraft, as the case may be, and connect such base station or wireless local area network with the telecommunication network of such other new authorised entity or licensee with whom an agreement has been entered into under sub-rule (2).

(4) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication services which requires a separate authorisation from the Central Government.

(5) An entity authorised to provide access service in all twenty-two service areas or internet service in national service area, shall not require a separate in-flight and maritime connectivity service authorisation for the provision of in-flight and maritime connectivity services.

69. Fees and charges.—Every new authorised entity shall pay an annual authorisation fee of one rupee, from the effective date of authorisation:

Provided that the new authorised entity shall pay the authorisation fee for the entire duration of the authorisation in advance at the time of grant of authorisation.

70. Technical and operating conditions.—(1) Every new authorised entity may connect its base station or wireless local area network established on a ship or an aircraft with the telecommunication network of another new authorised entity or licensee with whom an agreement has been entered into under sub-rule (2) rule 68, using such satellite network or direct-air-to-ground communication systems, and for operating such base station, the new authorised entity shall use the access spectrum assigned to such other new authorised entity or licensee.

(2) Every new authorised entity, when using a satellite network for providing in-flight and maritime connectivity services, shall ensure that the requisite satellite-based connectivity is obtained from the entities authorised to provide satellite-based connectivity, having satellite earth station gateway in India.

(3) Every new authorised entity, when using direct-air-to-ground communication system for providing in-flight and maritime connectivity services, shall ensure that such system is obtained from the entity authorised to provide such systems.

(4) Every new authorised entity providing miscellaneous telecommunication service of voice or non-voice message in an aircraft, shall do so at such minimum height within the service area, as may be specified on the portal, to avoid interference with wireless terrestrial networks.

(5) Notwithstanding the minimum height requirement in sub-rule (4), when user terminals are permitted to be used in an aircraft, the new authorised entity may provide internet services through wireless local area network in such aircraft:

Provided that the new authorised entity shall provide such internet services in that aircraft only when the user terminals are used in airplane mode.

(6) Every new authorised entity shall ensure that any modification of an aircraft, registered in India, to provide in-flight and maritime connectivity services shall be done with the prior approval of the Directorate General of Civil Aviation and as per the Bharatiya Vayuyan Adhiniyam, 2024 (16 of 2024).

(7) Every new authorised entity shall, to avoid interference, ensure separate telecommunication network for in-flight and maritime connectivity services and navigation system in aircrafts or ships.

(8) Every new authorised entity shall ensure that provision of in-flight and maritime connectivity services in an aircraft or a ship is in the exclusive control of the pilot or the captain of such aircraft or ship, as the case may be, to enable him to disconnect provision of the in-flight and maritime connectivity services during any difficulty.

71. Security conditions.—Every new authorised entity shall, prior to the commencement of in-flight and maritime connectivity services, ensure that another new authorised entity or licensee with whom it has entered into an agreement under sub-rule (2) of rule 68—

(a) establish, operate, maintain and expand suitable lawful interception system and lawful interception monitoring facilities in relation to interception of messages or class of messages in accordance with the orders, directions or guidelines as may be issued by the Central Government; and

(b) wherever required, provide integration of the same with such systems and in such manner as the Central Government may specify.

PART F
AERONAUTICAL DATA COMMUNICATION SERVICE AUTHORISATION

72. Applicability of Part F.—This Part shall apply to a new authorised entity that holds aeronautical data communication service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds aeronautical data communication service authorisation.

73. Scope of aeronautical data communication service authorisation.—(1) Aeronautical data communication service authorisation consists of authorisation for data communication service between aircraft and ground stations.

(2) Every new authorised entity may establish one or more ground stations in its service area to provide aeronautical data communication services to airline operators or air navigation service providers.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services authorised which are authorised under the scope of its authorisation, and not any other telecommunication services which requires a separate authorisation from the Central Government.

74. Fees and charges.—Every new authorised entity shall pay an annual authorisation fee of one rupee to the Central Government from the effective date of authorisation:

Provided that the new authorised entity shall pay the authorisation fee for the entire duration of the authorisation in advance, at the time of grant of authorisation.

75. Technical and operating conditions.—Every new authorised entity shall ensure that its telecommunication network is not interconnected with public switched telephone network, public land mobile network or internet telephony network.

76. Rollout obligations.—(1) Every new authorised entity shall rollout the telecommunication network for provision of aeronautical data communication service, including establishment of ground station using the spectrum which has been assigned by the Central Government within twelve months from the date of assignment of such spectrum for any ground station, as required for providing aeronautical data communication services to users.

(2) Every new authorised entity shall register with the Central Government on the portal, in accordance with orders, directions or guidelines issued by the Central Government, for verification of the compliance of rollout obligations, as per the test schedule and test procedure as may be specified on the portal.

(3) On successful verification under sub-rule (2), the date of registration with the Central Government shall be treated as the date of compliance to the rollout obligations.

(4) In case of failure on verification under sub-rule (2), the new authorised entity shall re-register, after necessary corrections, and in such cases, the date of re-registration with the Central Government, on successful verification, shall be treated as the date of compliance to the rollout obligation.

(5) Any failure to adhere to the rollout obligations shall be treated as breach of terms and conditions of the authorisation and shall be dealt as per the provisions of Chapter VIII of the Act:

Provided that if the rollout obligations are adhered to within thirty days of the expiry of the due date for adhering to such obligations, the Central Government shall consider the same as timely fulfilment of rollout obligations.

(6) In case of failure to adhere to the rollout obligations, in addition to imposition of civil penalty as per the provisions of Chapter VIII of the Act, the spectrum assignment for ground station shall be subject to the relevant provisions of the Act and the terms and conditions of spectrum assignment.

CHAPTER VII
MISCELLANEOUS

77. Breach.—(1) A breach of the terms and conditions of authorisation by a new authorised entity shall constitute a breach as referred to in section 32 of the Act.

(2) The Central Government may, after due consideration of the recommendations received under clause (b) of sub-section (1) of section 32 of the Act and giving an opportunity of being heard to the new authorised entity, issue an order of suspension, revocation or curtailment of an authorisation under sub-section (2) of section 32 of the Act..

(3) Every order under sub-rule (2) shall be published by the Central Government on the portal, and be effective from the sixty-first day from the date of publishing of such order.

(4) The new authorised entity shall, on publication of the order under sub-rule (3), give every user of its miscellaneous telecommunication services at least thirty days prior notice of curtailment, suspension or revocation of its authorisation and of the options available to such users.

(5) The new authorised entity shall maintain the quality of miscellaneous telecommunication service and telecommunication network till the effective date referred to in sub-rule (3).

78. Digital implementation.— The Central Government may, in furtherance of section 53 of the Act, notify one or more portals for digital implementation of these rules, including for providing any form, manner, order, direction or guidelines to be specified under these rules.

SCHEDULE A

PROCESSING FEE, ENTRY FEE AND INITIAL GUARANTEE FOR AUTHORISATIONS FOR MISCELLANEOUS TELECOMMUNICATION SERVICES

[*See* rules 6(2)(a), 7(2)(a)(i), 13(1), 42(3)(b), 42(4)(b), 42(5)(b), 44(3), 53(3)]

Sl. No.	Service Authorisation	Processing Fee (in Rs.)	Entry Fee (in Rs.)	Guarantee (in Rs.)
1.	Public mobile radio trunking service authorisation	10,000	20,000	20,000
2.	Enterprise communication service authorisation	10,000	Nil	2 lakh
3.	Machine-to-machine service authorisation	10,000	Nil	Nil
4.	Prime Minister Wi-Fi Access Network Interface service authorisation	Nil	Nil	Nil
5.	In-flight and maritime connectivity service authorisation	10,000	Nil	Nil
6.	Aeronautical data communication service authorisation	10,000	1 lakh	Nil

SCHEDULE B
SERVICE AREAS

[*See* rule 4(a)]

Sl. no.	Service Area	Area covered
1.	West Bengal Service Area	Entire area falling within the Union territory of Andaman and Nicobar Islands and area falling within the State of West Bengal and the State of Sikkim, excluding the areas covered by Kolkata Service Area.
2.	Andhra Pradesh Service Area	Entire area falling within the State of Andhra Pradesh and the State of Telangana.
3.	Assam Service Area	Entire area falling within the State of Assam.
4.	Bihar Service Area	Entire area falling within the State of Bihar and the State of Jharkhand.
5.	Gujarat Service Area	Entire area falling within the State of Gujarat and the Union territory of Daman and Diu and Dadra and Nagar Haveli.
6.	Haryana Service Area	Entire area falling within the State of Haryana except Panchkula town and the local areas served by Faridabad and Gurgaon Telephone Exchanges.
7.	Himachal Pradesh Service Area	Entire area falling within the State of Himachal Pradesh.
8.	Jammu and Kashmir Service Area	Entire area falling within the Union territory of Jammu and Kashmir and Union territory of Ladakh.
9.	Karnataka Service Area	Entire area falling within the State of Karnataka.
10.	Kerala Service Area	Entire area falling within the State of Keralam and Union territory of Lakshadweep.
11.	Madhya Pradesh Service Area	Entire area falling within the State of Madhya Pradesh and the State of Chhattisgarh.
12.	Maharashtra Service Area	Entire area falling within the States of Maharashtra and State of Goa, excluding areas covered by Mumbai Service Area.
13.	North East Service Area	Entire area falling within the States of Arunachal Pradesh, Meghalaya, Mizoram, Nagaland, Manipur and Tripura.
14.	Orissa Service Area	Entire area falling within the State of Odisha.
15.	Punjab Service Area	Entire area falling within the State of Punjab, Union territory of Chandigarh and Panchkula town of Haryana.
16.	Rajasthan Service Area	Entire area falling within the State of Rajasthan.
17.	Tamil Nadu Service Area	Entire area falling within the State of Tamil Nadu and Union territory of Puducherry.

Sl. no.	Service Area	Area covered
18.	Uttar Pradesh (West) Service Area	Entire area covered by Western Uttar Pradesh with the following as its boundary districts towards Eastern Uttar Pradesh: Pilibhit, Bareilly, Badaun, Kasganj, Etah, Mainpuri, Etawah and Auraiya. It will exclude the local telephone area of Ghaziabad and Noida. Further, it will include the State of Uttarakhand.
19.	Uttar Pradesh (East) Service Area	Entire area covered by Eastern Uttar Pradesh with the following as its boundary districts towards Western Uttar Pradesh: Shahjahanpur, Kannauj, Farrukhabad, Lakhimpur, Kanpur Rural and Jalaun.
20.	Delhi Service Area	Local Areas served by Delhi, Ghaziabad, Faridabad, Noida and Gurgaon Telephone Exchanges.
21.	Kolkata Service Area	Local Areas served by Calcutta Telephones Exchanges.
22.	Mumbai Service Area	Local Areas served by Mumbai, New Mumbai and Kalyan Telephone Exchanges.

[F. No. 24-06/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.
SARVESH KUMAR SRIVASTAVA Digitally signed by SARVESH KUMAR SRIVASTAVA Date: 2024.06.22 20:41:45 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-36

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 23 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23.07.2026.

ದಿನಾಂಕ: 23.06.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026ನ GSR 513(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 23rd June, 2026

G.S.R. 513(E).— Whereas a draft of the Telecommunications (Authorisation for Provision of Main Telecommunication Services) Rules, 2025 was published, as required under sub section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* notification number G.S.R. 606(E), dated the 5th September, 2025, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And whereas, copies of the said Official Gazette were made available to the public on the 6th September, 2025;

And whereas, the said period was extended till the 21st October, 2025, and comments and suggestions received in that period in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (a) of sub-section (2) of section 56 read with clause (a) of sub-section (1) and sub-section (6) of section 3 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) "access services" means the telecommunication services provided by a new authorised entity to users for conveyance of voice or non-voice messages through wireline or wireless telecommunication network, and the expression "wireline access services" and "wireless access services" shall be construed accordingly;

(b) "access service authorisation" means the authorisation to provide telecommunication services referred to as such in sub-rules (1) and (2) of rule 69;

(c) "access spectrum" means the spectrum used to provide access services from base station to user terminal;

(d) "Act" means the Telecommunications Act, 2023 (44 of 2023);

(e) "authorisation fee", in relation to an authorisation, means the fee payable by a new authorised entity at the rates and intervals specified under applicable rules for such authorisation;

(f) "authorised agency" shall have the same meaning as assigned to it in the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024;

(g) "base station" means the radio equipment used to establish one or several cells of a public land mobile network to enable telecommunication between the core telecommunication network and user terminals;

(h) "bearer service", in relation to a telecommunication service for which authorisation has been obtained, means the transmission or reception of messages between network interfaces for provision of such telecommunication service, and the expression "bearer telecommunication traffic" shall be construed accordingly;

(i) "cable landing station" means the station located in India where some or all optical fibres comprising a terrestrial cable that connects to a telecommunication network outside the territory of India or a submarine cable are terminated, and the station where remaining optical fibres of such cables are terminated is known as cable landing station point-of-presence;

(j) "calling line identification" means—

(i) the telecommunication identifier assigned to a calling user by the new authorised entity or licensee providing telecommunication service to such user;

(ii) the name of the user as recorded in the subscriber data record; or

(iii) such other identification as may be specified on the portal;

(k) "captive non-public network" means a wireless terrestrial telecommunication network established, operated, maintained or expanded by a new authorised entity for—

(i) its captive use; or

(ii) captive use of its user as a standalone telecommunication network or as part of a public land mobile network;

(l) "cell", in relation to a telecommunication network, means a geographical area within which a radio equipment transmits messages to or receives messages from a user terminal;

(m) "cell broadcast" means the method of simultaneously sending messages to multiple users within a geographical area that may range from a single cell of a base station to the entire telecommunication network, and the expression "cell broadcast services" shall be construed accordingly;

(n) "Central Government Department" means a Ministry, Department, Secretariat or office specified in First Schedule to the Government of India (Allocation of Business) Rules, 1961 and includes an attached office or subordinate office thereof;

(o) "company" shall have the same meaning as assigned to it in the Companies Act, 2013 (18 of 2013).

Explanation.—For the removal of doubts, it is clarified that the expression "company" does not include a "One Person Company" as defined in the said Act;

(p) "control", in relation to a new authorised entity or licensee, shall have the same meaning as assigned to it in the Companies Act, 2013 (18 of 2013);

(q) "co-operative society" means a society registered or deemed to be registered under any law relating to co-operative societies for the time being in force in any State;

(r) "core telecommunication network", in relation to a telecommunication network, means a system or series of systems of telecommunication equipment that routes and manages flow of messages among different parts of such telecommunication network and performs a range of essential functions including connectivity, routing, mobility management, authentication, authorisation, user management, policy management, management of exposure of the telecommunication network and servicing of its application programme interfaces;

(s) "customer application form", in relation to a user, means such form to be provided by a new authorised entity or licensee for furnishing information, accompanied by supporting documents, required to enable a person to enrol as user, update such information or disconnect the telecommunication services provided to him;

(t) "designated agency" means any person designated as such by the Central Government for the purposes of the rule under which he is designated;

(u) "domestic leased circuit" means a leased circuit that connects two or more locations within the national service area;

(v) "domestic traffic" means messages, including messages in the signalling plane and the user plane of the telecommunication network, which originate and terminate within the national service area;

(w) "earth station in motion" means a user terminal to avail of fixed satellite service, which is affixed to a vehicle on land, air or water and remains connected with a satellite while such vehicle is in motion or at rest;

(x) "effective date", in relation to an authorisation, means the date specified as such in such authorisation;

(y) "entry fee", in relation to an authorisation to provide telecommunication services, means the non-refundable amount of fee to be paid by the applicant for such authorisation;

(z) "exclusive economic zone" means the area referred to as such in the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976 (80 of 1976);

(aa) "fixed satellite service" means a telecommunication service for transmitting and receiving messages between a satellite or constellation of satellites and an earth station in motion or a very small aperture terminal;

(ab) "foreign carrier" means a person who provides a telecommunication service outside India for provision of international long distance services;

(ac) "foreign direct investment" shall have the same meaning as assigned to it in the rules made in respect of non-debt instruments under the Foreign Exchange Management Act, 1999 (42 of 1999);

(ad) "home network", in relation to a telecommunication network for which a new authorised entity has obtained authorisation, means the telecommunication network established by such new authorised entity in the authorised service area;

(ae) "Indian insurance company" shall have the same meaning as assigned to it in the Insurance Act, 1938 (4 of 1938);

(af) "interconnection" shall have the same meaning as assigned to it in the regulations made under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) in respect of inter-connection between service providers;

(ag) "international long distance network" means a telecommunication network that interconnects with the telecommunication network of a foreign carrier;

(ah) "international long distance services" means the telecommunication services referred to as such in clause (b) of sub-rule (1) and clause (b) of sub-rule (2) of rule 78;

(ai) "international private leased circuit" means a leased circuit that connects one or more locations in the national service area with one or more locations outside such area;

(aj) "international traffic" means messages that originate in the territory of one country and terminate in the territory of another, where one of the countries is India;

(ak) "internet" is a global system that—

(i) is logically linked together by a globally unique address, based on internet protocol or its subsequent enhancements or upgradations; and

(ii) is able to support communications using the transmission control protocol or internet protocol suite or its subsequent enhancements or upgradations, and all other protocols compatible with internet protocol;

(al) "internet exchange point" means a telecommunication network on which two or more telecommunication networks carrying internet traffic connect to exchange such traffic;

(am) "internet leased line" means a leased circuit with dedicated capacity that connects an internet node of a new authorised entity with a user terminal for provision of internet services;

(an) "internet services" means the telecommunication services to access the internet;

(ao) "internet service authorisation" means the authorisation to provide telecommunication services referred to as such in sub-rules (1) and (2) of rule 74;

(ap) "internet telephony" means transfer of voice messages using internet, and the expressions "internet telephony network" and "internet telephony service" shall be construed accordingly;

(aq) "leased circuit" means a private dedicated telecommunication circuit that connects two or more locations using physical connections, transmission bandwidth, circuit switched technology, packet switched technology or any combination thereof;

(ar) "letter of intent" means the letter issued under sub-rule (2) of rule 7;

(as) "license" means a license, registration or permission, by whatever name called, granted under the Indian Telegraph Act, 1885 (13 of 1885), and the expression "licensee" shall be construed accordingly;

(at) "limited liability partnership" shall have the same meaning as assigned to it in the Limited Liability Partnership Act, 2008 (6 of 2009);

(au) "long distance call" means a call that terminates in an area other than the local area in which it originates;

(av) "long distance services" means national long distance services and international long distance services;

(aw) "long distance service authorisation" means the authorisation to provide long distance services;

(ax) "Mobile Number Portability" shall have the same meaning as assigned to it in the regulations made in this regard under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(ay) "national long distance network" means a telecommunication network that carries bearer telecommunication traffic, within the boundaries of the national service area;

(az) "national long distance services" means the telecommunication services referred to as such in clause (a) of sub-rule (1) and clause (a) of sub-rule (2) of rule 78;

(aaa) "national service area" means a service area, which refers to the territory of India, territorial waters of India and the continental shelf and exclusive economic zone of India, in accordance with section 55 of the Act;

(aab) "network service operator" means a person who has obtained authorisation as referred to in sub-rule (1) of rule 9;

(aac) "net worth" shall have the same meaning as assigned to it in the Companies Act, 2013 (18 of 2013);

(aad) "new authorised entity", means an authorised entity that has—

(i) obtained an authorisation under sub-section (1) of section 3 of the Act; or

(ii) migrated to the terms and conditions of an authorisation under sub-section (6) of section 3 of the Act;

(aae) "network service operator licensee" means a licensee who holds any of the following licenses and has not migrated to the terms and conditions of the relevant authorisation under sub-section (6) of section 3 of the Act, namely:—

(i) Unified License; or

(ii) Unified Access Service License; or

(iii) license for provision of internet services; or

(iv) license for national long distance services; or

(v) license for international long distance services.

Explanation.—The licenses specified in this clause shall respectively mean the license referred to as such in the license agreement for the same between the Central Government and the licensee;

(aaf) "overlapping license or authorisation" means the license or authorisation held by an applicant, the scope and service area of which would be covered in its entirety within the scope and service area of the authorisation in respect of which an application is submitted under rule 6;

(aag) "parent network service operator", in relation to a virtual network operator, means the network service operator or network service operator licensee with whom such virtual network operator has entered into a contract for provision of those telecommunication services for which that virtual network operator has obtained authorisation;

(aah) "partnership" shall have the same meaning as assigned to it in the Partnership Act, 1932 (9 of 1932), and the expression "partnership firm" shall be construed accordingly;

(aai) "passive telecommunication infrastructure" means those elements of the telecommunication network that support the functioning of active elements of such telecommunication network, such as dark fibre, electrical equipment including battery and power plant, duct space, heating ventilation and air conditioning, pole, renewable energy systems and tower;

(aaj) "peering" means the commercial and technical arrangements under which two or more new authorised entities or licensees or both connect their respective telecommunication network to exchange internet traffic, directly or through an internet exchange point;

(aak) "pending dues" means unpaid amounts against any claim arising on account of any license, authorisation or assignment, irrespective of its termination, revocation, surrender or the expiry of its duration, which are due and payable.

Explanation.—For the purpose of this clause, the expression "claim" shall have the same meaning as assigned to it in the Insolvency and Bankruptcy Code, 2016 (31 of 2016);

(aal) "point of interconnection" shall have the same meaning as assigned to in the regulations governing interconnection under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(aam) "point-of-presence", in relation to a new authorised entity, means a system of telecommunication equipment of appropriate capacity established by such new authorised entity to provide telecommunication services for which it is authorised;

(aan) "portal" means portal as referred to in rule 82;

(aao) "principal telecommunication services" means the telecommunication services specified within the scope of each authorisation as specified in rule 4;

(aap) "public financial institution" shall have the same meaning as assigned to it in the Companies Act, 2013 (18 of 2013);

(aaq) "public land mobile network" means public telecommunication network established, operated, maintained or expanded by a new authorised entity for provision of access services;

(aar) "public switched telephone network" means a switched telecommunication network established, operated, maintained or expanded by a new authorised entity for provision of access services to users, who are using fixed user terminals;

(aas) "relative", in relation to an individual, means the husband, wife, brother or sister, or any lineal ascendant or descendant of such individual;

(aat) "roaming", in relation to a user who has subscribed to telecommunication services of a new authorised entity having authorisation to provide such services, means the ability to avail of such services in a network other than the home network;

(aau) "satellite earth station gateway" means a ground-based system or series of systems of telecommunication equipment that acts as an interface between a terrestrial network and a satellite or constellation of satellites, and the expression "satellite earth station gateway provider" shall be construed accordingly;

(aav) "satellite network" means a telecommunication network comprising a satellite or constellation of satellites, its satellite earth station gateways and user terminals;

(aaw) "Schedule" means a schedule annexed to these rules;

(aax) "scheduled commercial bank" refers to a bank categorised as such by the Reserve Bank of India;

(aay) "scope", in relation to an authorisation, means the telecommunication services for which such authorisation is granted;

(aaz) "service area" means the geographical area in respect of which authorisation for provision of telecommunication services is granted, which may be national service area or telecom circle or metro service area;

(aaaa) "subscriber identity module" means a module, by whatever name called, available in any form factor, used to securely store a unique telecommunication identifier assigned to a user by the new authorised entity and the related authentication keys to uniquely identify and authenticate such user on the telecommunication network, and includes a pluggable subscriber identity module, embedded subscriber identity module (e-SIM), integrated subscriber identity module (iSIM), virtual subscriber identity module or any other equivalent subscriber identity module;

(aaab) "society" means a society registered under the Societies Registration Act, 1860 (21 of 1860);

(aaac) "State Government Department" means a Ministry, Department, Secretariat or office—

(i) specified in the rules made by the Governor under clause (3) of article 166 of the Constitution, for the allocation of the business of the Government of the State; and

(ii) a Department of a Union territory Government,

and includes an attached office or subordinate office thereof;

(aaad) "subscriber data record", in relation to a new authorised entity, means a comprehensive repository of user information furnished under sub-rule (7) of rule 35, sub-rule (4) of rule 40 and sub-rule (2) of rule 41;

(aaae) "tariff" shall have the same meaning as assigned to it in the orders issued under sub-section (2) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(aaaf) "telecom circle or metro service area" means the service areas listed in Schedule B;

(aaag) "terrestrial network" means a telecommunication network comprising land-based telecommunication

equipment or infrastructure and user terminals, and the expressions "wireless terrestrial networks" and "wireline terrestrial networks" shall be construed accordingly;

(aaah) "trust" means a trust established under the Indian Trust Act, 1882 (2 of 1882) or under any other law for the time being in force;

(aaai) "unified service authorisation" means the authorisation to provide telecommunication services referred to as such in sub-rules (1) and (2) of rule 65;

(aaaj) "user terminal", in relation to a telecommunication service, means a type of telecommunication equipment used or intended to be used by a user to avail of such telecommunication service;

(aaak) "virtual network operator" means a person who has obtained authorisation as referred to in sub-rule (2) of rule 9;

(aaal) "virtual network operator licensee" means a licensee who holds a Unified License (VNO) and has not migrated to the terms and conditions of the relevant authorisation under sub-section (6) of section 3 of the Act.

Explanation.—For the purpose of this clause, the expression "Unified License (VNO)" means a license referred to as such in the license agreement for the same;

(aaam) "very small aperture terminal" means a user terminal to avail of fixed satellite service, installed at a particular location and connected with satellite, to access telecommunication service;

(aaan) "voucher" shall have the same meaning as assigned to it in the regulations made under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(aaao) "wireline access service authorisation" means the authorisation to provide telecommunication services referred to as such in sub-rules (1) of rule 70; and

(aaap) "year" means a continuous period of twelve months commencing from the effective date.

(2) Words and expressions used in these rules and not defined herein but defined in the Act or the rules made thereunder shall have the meanings respectively assigned to them in the Act or the said rules.

3. Application.—(1) These rules provide for the terms and conditions of authorisation, which shall apply to the following, namely:—

(a) authorisation for providing principal telecommunication services under sub-section (1) of section 3 of the Act; and

(b) the relevant authorisation to the terms and conditions of which a new authorised entity has migrated to under sub-section (6) of section 3 of the Act.

(2) Without prejudice to the provisions of sub-rule (1), the provisions of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), and the rules and regulations made thereunder shall continue to apply in respect of a new authorised entity.

CHAPTER II

PRINCIPAL TELECOMMUNICATION SERVICES AND GRANT OF AUTHORISATION

4. Authorisation for principal telecommunication services.—Any person may apply to the Central Government under rule 6 to obtain authorisation, as network service operator or virtual network operator or both, to provide one or more telecommunication services that are within the scope and service area of any authorisation specified below:

(a) unified service authorisation for national service area;

(b) access service authorisation for one or more service areas listed in Schedule B;

(c) wireline access service authorisation for one or more service areas listed in Schedule B;

(d) internet service authorisation for national service area or one or more service areas listed in Schedule B; and

(e) long distance service authorisation for national service area:

Provided that application to obtain wireline access service authorisation may be made only by a person intending to provide such telecommunication service as virtual network operator.

5. Eligibility.—A person specified in clause (a), who also fulfils the conditions in clauses (b), (c) and (d), shall be eligible to apply for authorisation under rule 6, namely:—

(a) it is a company—

(i) whose minimum paid-up equity capital is as specified in Schedule C;

(ii) whose minimum net worth is as specified in Schedule C;

(iii) in which foreign direct investment, if any, is in conformity with the policy issued by the Government of India from time to time in respect of foreign direct investment and applicable law; and

(iv) the general character of whose management is sound in terms of its track record in providing telecommunication services or in establishing, operating, maintaining or expanding telecommunication networks in a responsible manner.

(b) if it possesses one or more authorisations or licenses, or applies for one or more new authorisations, it shall fulfil the following conditions, namely:—

(i) it has minimum paid-up equity capital equal to the sum of the minimum paid-up equity capital requirement for each such authorisation or license; and

(ii) it has minimum net worth equal to the sum of the minimum net worth required for each such authorisation or license.

(c) it meets the requirements under rule 12.

(d) it has no pending dues:

Provided that the Central Government may, if it is satisfied that it is necessary in public interest so to do, exempt or relax any condition under this rule.

6. Application for authorisation.—(1) A person intending to obtain an authorisation under these rules shall submit an application on the portal, in such form and manner and accompanied by such documents as specified therein.

(2) Every application under sub-rule (1) shall be accompanied by—

(a) a non-refundable processing fee as specified in Schedule A; and

(b) a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying that it meets the eligibility criteria under rule 5.

(3) If the applicant holds any overlapping license or authorisation, it shall relinquish such existing overlapping license or authorisation as required under these rules.

(4) If the pending dues referred to in clause (d) of rule 5 are subject to ongoing legal proceedings in which there is a judicial order injuncting payment of such dues, the applicant shall—

(a) comply with the conditions that may have been imposed in such order; and

(b) submit an undertaking to make payments, subject to the outcome of such proceedings,

and submit with its application a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying compliance with this sub-rule.

(5) Any application made for grant of a license or letter of intent for grant of a license that may have been issued under the Indian Telegraph Act, 1885 (13 of 1885), prior to the date of commencement of these rules, shall lapse if the license under the Indian Telegraph Act, 1885 (13 of 1885) pursuant to such application or letter of intent had not been issued prior to the date of commencement of these rules.

(6) An applicant to whom a letter of intent issued under sub-rule (5) has lapsed may make an application under sub-rule (1) for grant of authorisation:

Provided that any non-refundable processing fee or entry fee paid or bank guarantee furnished pursuant to such letter of intent may be reckoned towards fulfilment of any requirement under these rules as to payment of any processing fee or entry fee or submission of guarantee required under these rules, as the case may be, while paying or submitting fee or guarantee to the extent of shortfall, if any, after adjusting the amount paid or submitted previously.

7. Grant of authorisation.—(1) On receipt of application under rule 6, the Central Government may, make such inquiry as it deems fit regarding the eligibility of the applicant and, for this purpose, require the applicant to furnish such information as it may call for.

(2) The Central Government may,—

(a) if it is satisfied that the applicant is eligible, issue a letter of intent to such applicant through the portal, specifying the requirements to be fulfilled for obtaining authorisation, including—

(i) payment of entry fee and submission of an unconditional and irrevocable guarantee for such authorisation of an amount as specified in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, as the case may be; and

(ii) submission of an unconditional and irrevocable undertaking in such form and manner as specified on the portal, relinquishing the overlapping license or authorisation, if any, from the effective date of authorisation; or

(b) reject the application.

(3) On being satisfied that the requirements specified in the letter of intent are fulfilled by the applicant, the Central Government may grant authorisation through the portal while specifying, among other things,—

(a) its scope;

(b) the service area and the duration for which the authorisation is granted; and

(c) the effective date of such authorisation.

(4) Each authorisation granted under these rules shall be on a non-exclusive basis and additional authorisations for same principal telecommunication services may be granted by the Central Government within the same or other service areas without any restriction on the number of new authorised entities.

(5) A new authorised entity that has been granted authorisation under these rules may apply for assignment of spectrum under applicable law, subject to meeting any eligibility conditions for such assignment under such law.

Explanation.—For the removal of doubts, it is clarified that grant of authorisation under these rules shall not be construed as conferring any right to the assignment or use of spectrum on a new authorised entity.

8. Overlapping license or authorisation.—(1) A new authorised entity shall not be permitted to hold any overlapping license or authorisation:

Provided that such new authorised entity may hold one authorisation as a network service operator and one authorisation as virtual network operator for any type of principal telecommunication service in the same service area.

(2) The relinquishment of an overlapping license or authorisation, if any, shall be without prejudice to any rights and liabilities arising from such license or authorisation, as the case may be, and in particular, shall not affect the following, namely:—

(a) rollout obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such overlapping license or authorisation, shall remain applicable under the terms and conditions thereof, even after the relinquishment, as the case may be; and

(b) the resource provided and permission given by the Central Government with respect to such overlapping license or authorisation, shall continue to apply in accordance with the terms on which it was obtained, unless the Central Government determines otherwise in public interest.

Explanation.—For the purpose of clause (b), the expressions—

1. "resource" means—

(a) the telecommunication identifiers already allocated; or

(b) spectrum assigned to the new authorised entity; or

(c) certificate of compliance held by the new authorised entity in respect of the overlapping license or authorisation.

2. "permission" includes coverage test certificates as a part of compliance of rollout obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the new authorised entity, and other permissions including for remote access and gateways permissions.

CHAPTER III

GENERAL CONDITIONS

9. Network service operator and virtual network operator.—(1) Every new authorised entity who obtains an authorisation under rule 7 as a network service operator, while conforming with the scope of such authorisation, may establish, operate, maintain or expand telecommunication network for the following, namely:—

(a) to provide principal telecommunication services; and

(b) to connect its core telecommunication network with telecommunication network of a virtual network operator or virtual network operator licensee under a contract.

(2) Every new authorised entity who obtains an authorisation under rule 7 as a virtual network operator, while conforming with the scope of such authorisation, may establish, operate, maintain or expand telecommunication network, other than such system or series of systems of telecommunication equipment which are used to establish interconnection or peering with the telecommunication network of other network service operators or network service operator licensees and shall enter into a contract with one or more parent network service operators to provide principal telecommunication services:

Provided that,—

(a) the area in which the virtual network operator may provide such principal telecommunication services shall be such area for which both it and its parent network service operator have authorisation;

(b) such contract shall contain provisions for automatic renewal of the contract on expiry of its term, unless either party gives at least thirty days prior notice of its intention to not renew the same, and for each party to the contract to forthwith intimate the other on—

(i) becoming aware of an order of suspension, revocation or curtailment of its authorisation and any reinstatement of the same;

(ii) submission of an application for surrender of its authorisation, and on receipt of any communication of the Central Government regarding acceptance or rejection of such application; or

(iii) becoming aware of any material change in respect of its authorisation; and

(c) in case of wireless access services, there shall be only one parent network service operator with whom such contract is entered into.

(3) Every virtual network operator which becomes aware of any order of suspension, revocation or curtailment of its authorisation or submits an application for surrender of the same shall—

(a) give every user of its principal telecommunication services, the option of migrating to a tariff plan of his choice from among such plans offered by its parent network service operator, without any charge for such migration or activation of such services; and

(b) make appropriate provision for effecting such migration in the contract entered into by it with its parent network service operator:

Provided that nothing in this sub-rule shall apply in respect of a wireless access service, other than machine-to-machine service.

10. Duration of authorisation.—The duration of each authorisation granted under rule 7 shall be such as is specified under the said rule, subject to a maximum of twenty years and the provisions of rules 16, 17 and 81.

11. Continued adherence to eligibility conditions.—Every new authorised entity shall, throughout the duration of authorisation, adhere to the conditions under rule 5 except the conditions in sub-clause (ii) of clause (a) and sub-clause (ii) of clause (b) thereof.

12. Limitations on cross holdings.—(1) Every new authorised entity that has access spectrum assigned to it or holds authorisation to provide a principal telecommunication service or establish, operate, maintain or expand a telecommunication network for such telecommunication service or telecommunication network or class thereof as may be specified on the portal, shall—

(a) not have any beneficial interest in another new authorised entity or a licensee that has access spectrum assigned to it or holding authorisation or license to provide such telecommunication service or establish, operate, maintain or expand such telecommunication network in the same service area; and

(b) ensure that none of its material shareholders hold such beneficial interest:

Provided that the limitation under this rule shall not be applicable in relation to—

(i) a virtual network operator and its parent network service operator; and

(ii) virtual network operators that have the same parent network service operator; and

(iii) a new authorised entity that has access spectrum assigned to it and another new authorised entity or a licensee that holds authorisation or license to provide telecommunication services using satellite network, subject to the condition that such other new authorised entity or licensee does not have any assignment of access spectrum.

(2) Every new authorised entity that holds unified service authorisation, access service authorisation, wireline access service authorisation or long distance service authorisation shall—

(a) not hold any beneficial interest in another new authorised entity or a licensee that holds an authorisation or license to provide mobile number portability service; and

(b) ensure that none of its material shareholders holds such beneficial interest.

(3) For the purposes of this rule, the expressions—

(a) "beneficial interest", in relation to a new authorised entity, means, directly or indirectly, holding any shares by such new authorised entity in another new authorised entity or a licensee, or having control or right to exercise, or actually exercising control, by that new authorised entity over the affairs of such other new authorised entity or licensee, and the expression "beneficial interest" in relation to a material shareholder of such new authorised entity shall be construed accordingly;

(b) "material shareholder", in relation to a new authorised entity, means a person, other than the Central Government and a financial institution as defined in the Companies Act, 2013 (18 of 2013), who controls such new authorised entity or holds equity therein to the extent of ten per cent. or more.

13. Reporting and disclosure.—(1) Every new authorised entity shall—

(a) submit the following to the Central Government every year, on such date and accompanied by a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form and manner as specified on the portal, certifying—

(i) the details of its Indian and foreign equity, both direct and indirect;

(ii) the details of persons having control over it; and

(iii) compliance with rules 11 and 12:

Provided that the Central Government may exempt new authorised entities that have turnover not exceeding such amount as may be specified on the portal from the requirement to make such submission.

Explanation.—For the purposes of sub-clause (i), direct and indirect foreign equity shall be determined in accordance with the policy issued by the Government of India from time to time in respect of foreign direct investment;

(b) report any change in respect of the following to the Central Government on the portal, namely:—

(i) change in its shareholders resulting from an acquisition, which shall be reported within fifteen days from the date of such change:

Provided that in relation to a new authorised entity that is listed on the stock exchange, only such change in shareholdings as is required to be disclosed under the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 made under the Securities and Exchange Board of India Act, 1992 (15 of 1992) or the bye-laws or listing conditions of the stock exchange concerned, is required to be reported under this sub-clause;

(ii) change in the name under which it has been registered under the Companies Act, 2013 (18 of 2013), accompanied by certified copy of the certificate of such registration, which shall be reported within thirty days from the date of issue of such certificate; and

(iii) change in its details, including in respect of foreign equity, control, address and contact details, and any other material change in the details submitted previously, which shall be reported within fifteen days of such change; and

(c) furnish to the Central Government such documents, accounts, estimates, returns, reports or other information as the Central Government may require such new authorised entity to furnish, which shall be furnished within such period as may be specified by the Central Government.

(2) Every new authorised entity shall nominate and communicate to the Central Government and the designated agency, in such form and manner as specified on the portal, the details of the nodal person of such new authorised entity, based in India, who shall be responsible for providing any report or information or extending support as required under these rules.

(3) If there is admission of an application for initiation of corporate insolvency resolution process against a new authorised entity under the Insolvency and Bankruptcy Code, 2016, such new authorised entity shall—

(a) within forty-eight hours of such admission, inform the Central Government in this regard in writing; and

(b) forthwith furnish to the Central Government, a copy of the order of the National Company Law Tribunal admitting such application.

14. Transfer.—(1) An authorisation may be assigned or transferred only with previous approval of the Central Government in writing, pursuant to—

(a) a merger, demerger, acquisition or other form of restructuring under applicable law; or

(b) exercise of security interest by a lender to the new authorised entity that holds such authorisation under the provisions of section 45 of the Act.

(2) Save as provided under sub-rule (1), a new authorised entity shall not—

(a) assign or transfer, in any manner whatsoever, directly or indirectly, in whole or in part, any authorisation granted to it; or

(b) enter into any partnership or agreement for such assignment or transfer; or

(c) create any interest in such authorisation in favour of a third party, except as provided under section 45 of the Act.

Explanation.—For the purposes of this rule, appointment of a point of sale by a new authorised entity shall not be construed as assignment or transfer of, or creation of interest in, authorisation granted to such new authorised entity.

15. Renewal.—(1) Every new authorised entity may submit an application for renewal of authorisation, in such form and manner as specified on the portal, at least twelve months prior to the expiry of the authorisation, accompanied by processing fee as specified in Schedule A.

(2) On receipt of a written request from a new authorised entity, the Central Government may permit an application after the period specified in sub-rule (1), if it is satisfied that there was sufficient cause for not making such application within such period, subject to payment of such late fees as may be specified by the Central Government in response to such request.

(3) The Central Government may, in its discretion, on receipt of an application under sub-rules (1) or (2), renew the authorisation for such period as decided by the Central Government, subject to a maximum of twenty years.

(4) Every renewal of authorisation under sub-rule (3) shall be subject to the applicable law at the time of such renewal.

(5) If the authorisation is not renewed, the new authorised entity shall give every user of its principal telecommunication services at least thirty days prior notice of expiry of its authorisation and of the options available to such users, including mobile number portability.

(6) Every new authorised entity shall maintain the quality of principal telecommunication service and telecommunication network till expiry of its authorisation.

16. Revocation of authorisation.—(1) The Central Government may, without prejudice to any action that may be taken under section 21 of the Act, by order, revoke an authorisation of a new authorised entity in the following circumstances, namely:—

(a) if, at any stage it is found that any of the representations, submissions or documents that had been provided by such new authorised entity with or during the processing of an application for authorisation were false;

(b) if, a new authorised entity is directed to be placed into liquidation or is ordered to be wound up;

(c) if, the Telecom Regulatory Authority of India, in accordance with the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), recommends revocation of authorisation.

(2) Prior to issuing any order under sub-rule (1) on occurrence of events specified in clauses (a) and (c) of sub-rule (1), the Central Government shall give an opportunity of being heard to the new authorised entity referred to in sub-rule (1).

(3) Every order under sub-rule (1) shall be published by the Central Government on the portal and be effective from the sixty-first day from the date of publishing of such order, and the new authorised entity shall give public notice of such order of revocation within forty-eight hours of it being published on the portal, and shall adhere to sub-rules (4) and (5) of rule 81.

17. Surrender of authorisation.—(1) A new authorised entity seeking to surrender an authorisation, shall submit an application in such form and manner as specified on the portal, accompanied by an undertaking, and other information as may be specified on the portal.

(2) The Central Government may, approve or reject an application submitted under sub-rule (1), and if approved, the details relating to the authorisation that is surrendered shall be published on the portal.

(3) The new authorised entity surrendering its authorisation under this rule shall, within forty-eight hours of such details being published on the portal—

(a) give public notice of such surrender;

(b) give every user of its principal telecommunication services notice of—

(i) the effective date of surrender, which shall be thirty-first day from the date of such notice to the user; and

(ii) the options available to such users, including mobile number portability; and

(c) communicate to the Central Government the effective date of such surrender as communicated to users under clause (b).

(4) Every new authorised entity shall maintain the quality of telecommunication network and principal telecommunication services till the effective date referred to in clause (b) of sub-rule (3).

(5) Every new authorised entity shall pay all amounts due and payable to the Central Government till the effective date of surrender referred to in clause (b) of sub-rule (3), including in respect of authorisation fee.

(6) Every new authorised entity surrendering its authorisation under this rule shall not be entitled to refund of any fees or charges paid in respect of, or under such authorisation.

18. Actions pursuant to revocation, surrender or expiry of authorisation or license.—(1) On revocation, surrender or expiry of the authorisation held by a new authorised entity—

(a) the spectrum assigned in respect of such authorisation, if any, shall stand withdrawn from the effective date of such revocation, surrender or expiry; and

(b) such entity shall manage its radio equipment in accordance with applicable law.

(2) A new authorised entity that has provided telecommunication resources to or has an agreement for interconnection or peering with any other new authorised entity or licensee, and if the authorisation or license of such other entity or licensee is subsequently revoked, or has been surrendered or expired, the new authorised entity that has provided the resource or entered into an agreement, shall withdraw its telecommunication resources, or disconnect such interconnection or peering, as the case may be, on the effective date of the revocation, surrender or expiry of authorisation or license of the other entity or licensee.

19. Consequence of migration.—(1) If a new authorised entity submits an application for migration under the Telecommunications (Terms and Conditions for Migration) Rules, 2026, the relinquishment of any overlapping authorisation of such new authorised entity shall become effective on the effective date of such migration.

(2) The relinquishment of the overlapping authorisation shall be without prejudice to rights and liabilities arising from such overlapping authorisation, which shall remain applicable in accordance with the Telecommunications (Terms and Conditions for Migration) Rules, 2026.

20. Power to call for information.—The Central Government may, for the purposes of giving effect to these rules, require a new authorised entity to furnish such information as it may call for.

21. Power to relax.—Where the Central Government considers it necessary or expedient so to do, on a request made by a new authorised entity or otherwise, on occurrence of a natural calamity or any event which in its opinion has prevented such new authorised entity or class of similarly situated new authorised entities from performance of any of its obligations under these rules, by order and for reasons to be recorded in writing, relax such performance for such period and subject to such terms and conditions as it may decide.

22. Power to issue orders, directions or guidelines.—The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules, which shall also constitute the terms and conditions applicable to every new authorised entity.

CHAPTER IV

FINANCIAL CONDITIONS

23. Fees and charges.—(1) For the purposes of this Chapter the expressions—

(a) "gross revenue" of the new authorised entity shall include all types of revenues accrued to such new authorised entity from its operations and activities and all income accrued from any source whatsoever, including but not limited to, interest, dividend, rent, profit on sale of fixed assets and miscellaneous income, without any set-off for related items of expenses;

(b) "applicable gross revenue" means the revenue which shall be equal to gross revenue of the new authorised entity as reduced by the items listed below,—

(i) revenue from operations other than telecommunication activities or operations;

(ii) revenue from activities under an authorisation, permission or registration issued by the Ministry of Information and Broadcasting;

(iii) receipts from the Digital Bharat Nidhi; and

(iv) revenue falling under the following items, namely:—

(A) income from dividend;

(B) income from interest;

(C) capital gains on account of profit on sale of fixed assets and securities;

(D) gains from foreign exchange rates fluctuations;

(E) income from property rent;

(F) insurance claims;

(G) bad debts recovered; and

(H) excess provisions written back:

Provided that the Central Government may specify the description and conditions applicable to these revenue sources and the manner of their computation.

(c) "adjusted gross revenue",—

(i) in relation to a network service operator, shall be calculated by excluding the following from the applicable gross revenue, namely:—

(a) interconnection usage charges, related to calls and short message service, paid to other new authorised entities or licensees.

(b) roaming revenues paid to other new authorised entities or licensees within India and telecommunication service providers outside India; and

(ii) in relation to a virtual network operator, shall be calculated by excluding from the applicable gross revenue the charges paid by the virtual network operator to its one or more parent network service operator under a contract for such bandwidth, leased circuits, call minutes and short message services, as may be necessary for provision of principal telecommunication services to users of virtual network operator, subject to submission of a copy of such contract specifying such charges, accompanied by a document evidencing payment of such charges, to the Central Government;

(d) "interconnection usage charges" shall have the same meaning as assigned to it in the regulations made or directions issued under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(e) "presumptive adjusted gross revenue" means an amount that is equal to five per cent. of sum of the amount payable by the new authorised entity for right to use of access spectrum and in case such new authorised entity acquires the right to use of access spectrum at different times, the presumptive adjusted gross revenue shall be five per cent. of the cumulative sum of all such amounts payable by that new authorised entity for right to use of access spectrum;

(f) "spectrum charges linked to adjusted gross revenue", in relation to authorisation, means the charges or fees in respect of assignment of spectrum, calculated as a percentage of adjusted gross revenue at such rate specified under the applicable law.

(2) Every new authorised entity shall pay an annual authorisation fee for each authorisation, from the effective date of such authorisation, which shall be eight per cent. of the adjusted gross revenue subject to the amounts specified in sub-rules (3) to (7), as applicable.

(3) From the second year of the effective date of the authorisation and for each subsequent year, the authorisation fee shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A.

(4) In the event of renewal of an authorisation, the authorisation fee from the effective date of renewal shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A.

(5) In the event of migration of license to the terms and conditions of relevant authorisation, the authorisation fee from the effective date of migration shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A:

Provided that if the licensee has migrated within twelve months of the effective date of license, the authorisation fee as referred to in clause (a) of sub-rule (5) shall be payable for the remaining period till the completion of twelve months from the effective date of the license.

(6) If a new authorised entity has the right to use access spectrum pursuant to assignment under the applicable law,—

(a) the authorisation fee from the effective date of the authorisation shall be the higher of—

(i) eight per cent. of the presumptive adjusted gross revenue; or

(ii) eight per cent. of the adjusted gross revenue;

(b) the authorisation fee from the second year of the effective date of the authorisation shall be higher of—

(i) eight per cent. of the presumptive adjusted gross revenue; or

(ii) the amount specified under sub-rule (3):

Provided that if the authorisation fee is based on eight per cent. of the presumptive adjusted gross revenue, it shall be calculated from the date of acquiring the right to use of access spectrum or the effective date of the authorisation, whichever is later.

(7) In the event of renewal of an authorisation or migration to the terms and conditions of authorisation, the authorisation fee from the effective date of renewal or migration in respect of a new authorised entity that has the right to use access spectrum pursuant to assignment under the applicable law shall be higher of—

(a) eight per cent. of the presumptive adjusted gross revenue; or

(b) the amount specified under sub-rules (4) or (5), as the case may be:

Provided that if the authorisation fee is based on eight per cent. of the presumptive adjusted gross revenue, it shall be calculated from the date of acquiring the right to use of access spectrum or the effective date of the renewal or migration, whichever is later.

(8) The authorisation fee under sub-rules (2) to (7) shall be inclusive of the amount attributable to the Digital Bharat Nidhi, which shall be equal to five-eighths of such authorisation fee.

(9) The rate of authorisation fee or amount attributable to Digital Bharat Nidhi, as specified in sub rules (2) to (8), may be varied at any time within the duration of the authorisation.

(10) If a network service operator acquires the right to use of spectrum under the applicable law, in addition to the authorisation fee, spectrum charges linked to adjusted gross revenue, if any, shall be payable in accordance with rule 24.

(11) A virtual network operator shall pay the spectrum charges linked to adjusted gross revenue in accordance with rule 24 at the rates applicable for its parent network service operator.

24. Schedule of payment.—(1) The authorisation fee or spectrum charges linked to adjusted gross revenue determined under these rules shall be payable by every new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee and spectrum charges linked to adjusted gross revenue in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected revenue for that quarter, subject to a minimum amount equal to the authorisation fee and spectrum charges linked to adjusted gross revenue paid for the previous quarter:

Provided that the new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of the next financial year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of revenue on accrual basis for the relevant quarter, and shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of revenue for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney.

(4) Every new authorised entity shall, on or before the thirtieth of June of each calendar year—

(a) submit statement of revenue for all quarters of the previous financial year, in such form and manner as specified on the portal, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013); and

(b) make the final adjustment of the authorisation fee and spectrum charges linked to adjusted gross revenue, including applicable interest as per sub-rule (5), for the previous financial year, based on sub-rule (2).

(5) In the event of any delay in payment of authorisation fee or spectrum charges linked to adjusted gross revenue or any other dues payable by a new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall submit a reconciliation statement between the figures appearing in the submitted quarterly statements of revenue under sub-rule (3) with those appearing in annual accounts, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), accompanied by a copy of the published annual accounts and audit report within seven days of the date of signing of the audit report or within the timeline provided under the Companies Act, 2013 (18 of 2013) for filing of annual financial statements, whichever is earlier:

Provided that the annual financial statements, the statement of revenue and the reconciliation statement shall be prepared in accordance with such norms or orders or directions as may be specified on the portal.

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity, in such manner as specified on the portal.

25. Guarantee requirements for authorisation.—(1) Every new authorised entity shall, for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee, in such form and manner as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any scheduled commercial bank or public financial institution, with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government.

(2) The purpose of the guarantee as specified in sub-rule (1) is to provide security for compliance of all the terms and conditions of the authorisation, including but not limited to payment of authorisation fee, spectrum charges linked to adjusted gross revenue, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders or directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee pursuant to the letter of intent shall be for the amount as specified in respect of each relevant authorisation in Schedule A or for an amount referred to in sub-rule (6) of rule 6, and for each subsequent year of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of each relevant authorisation in Schedule A; or

(b) twenty per cent. of combined estimated sum, calculated in accordance with the procedure as may be specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters;

(ii) spectrum charges linked to adjusted gross revenue payable for two quarters; and

(iii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period of the guarantee submitted under this rule by a minimum of one year, at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit, without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in sub-rule (6)**,** allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in the following cases, namely:—

(a) non-payment of authorisation fee, spectrum charges linked to adjusted gross revenue, or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provided in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

26. Assessment of authorisation fee and spectrum charges linked to adjusted gross revenue.—(1) The Central Government may carry out the assessment of authorisation fee and spectrum charges linked to adjusted gross revenue, in accordance with the procedure as specified on the portal in this behalf.

Explanation.—For the purposes of this rule, the expression "assessment" shall include reassessment and re-computation.

(2) Every new authorised entity shall submit relevant documents in support of the amount excluded from applicable gross revenue to arrive at adjusted gross revenue in accordance with the orders, directions or guidelines issued by the Central Government.

(3) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and a separate statement of computation of authorisation fee for each such authorisation.

(4) Every new authorised entity shall, in respect of each authorisation it holds—

(a) compile and maintain accounting records, that are sufficient to show and explain its transactions in respect of each completed quarter throughout the duration of the authorisation or of such lesser periods as may be specified on the portal, fairly presenting the costs, including capital costs, revenue, and financial position of such new authorised entity's business under the authorisation including a reasonable evaluation of the assets employed in and the liabilities attributable to that new authorised entity's business for the quantification of revenue or any other purpose;

(b) ensure that bilateral settlement of accounts with other new authorised entities or licensees or with telecommunication service providers outside India for international roaming are conducted through normal banking channels in a transparent manner; and

(c) furnish to the Central Government details of the mechanism for the settlement of accounts with other new authorised entities or licensees or telecommunication service providers outside India, including in respect of interconnection usage charges, charges for usage of network and facilities and charges for domestic and international roaming as well as details of the actual settlements.

(5) Every new authorised entity shall maintain and preserve billing records and other accounting records relating to the provision of principal telecommunication services under the authorisation, for each financial year, in electronic form as well as hard copy, for a period of at least six years from the date of publishing of its duly audited and approved annual accounts:

Provided that if such new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis and on such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014 made under the Companies Act, 2013 (18 of 2013):

Provided further that if the authorisation fee, spectrum charges linked to adjusted gross revenue or any other dues for any period are under dispute, the said records shall be retained until such dispute is resolved.

(6) The Central Government may, at any time, direct the new authorised entity to supply information or provide access to the books of annual accounts that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(7) The Central Government may, at any time, subject the records of any new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fee, spectrum charges linked to adjusted gross revenue, and any other charges.

(8) The Central Government may, on forming an opinion that the statements of revenue in respect of an authorisation or annual accounts submitted by the new authorised entity are inaccurate or misleading, or for any other reason, order audit of the accounts of such new authorised entity, by appointing one or more auditors, who shall have the same powers which the auditors of the company have under sub-section (1) of section 143 of the Companies Act, 2013 (18 of 2013), and on such charges as decided by the Central Government, which shall be payable by that new authorised entity.

(9) If any new authorised entity fails to submit the annual accounts, audit report and other required documents under sub-rules (4) and (6) of rule 24 within nine months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee or spectrum charges linked to adjusted gross revenue, on best judgement basis:

Provided that before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(10) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year except as provided under sub-rule (11).

(11) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has not been subject to assessment is likely to be equivalent to an amount of fifty lakh rupees or more for such financial year.

(12) For the purposes of computing the period of limitation as specified under sub-rule (10) and sub-rule (11), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(13) Notwithstanding anything contained in sub-rule (10) and sub-rule (11), assessment of authorisation fee or of spectrum charges linked to adjusted gross revenue may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(14) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee and spectrum charges linked to adjusted gross revenue, issue directions to new authorised entity, in respect of any principal telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

27. Set off.—(1) The Central Government may adjust or set off any amount payable by a new authorised entity to the Central Government against any amount payable by it to such new authorised entity, whether such amount is presently due or may become due at any time in future, including any amount arising from the encashment, claim or appropriation of the guarantee.

(2) The Central Government shall, subsequent to any action taken under sub-rule (1), inform the new authorised entity of such set-off.

28. Recovery of dues.—Without prejudice to other modes of recovery, any amount due to the Central Government by a new authorised entity, if not paid, shall be recovered as an arrear of land revenue.

CHAPTER V

TECHNICAL AND OPERATING CONDITIONS

29. Telecommunication network.—(1) Every new authorised entity having an authorisation under these rules, while conforming with the scope of such authorisation, may establish, operate, maintain or expand telecommunication network and may also possess radio equipment, without requiring separate authorisation under clauses (b) or (c) of sub-section (1) of section 3 of the Act:

Provided that in respect of assignment and use of spectrum, sub-rule (5) of rule 7 shall apply.

(2) Every new authorised entity may establish, operate, maintain or expand the telecommunication network using any technology for providing principal telecommunication services pursuant to its authorisation in accordance with the Act and rules made thereunder, and shall ensure that such telecommunication equipment, telecommunication identifier and telecommunication network used, and such principal telecommunication services provided are in conformity with applicable standards and conformity assessment measures that the Central Government may notify under section 19 of the Act:

Provided that the Central Government or the designated agency may carry out performance tests on such telecommunication network, telecommunication equipment or principal telecommunication services to ascertain conformity with applicable standards and conformity assessment measures:

Provided further that the new authorised entity shall supply such tools, test instruments and other accessories and extend such necessary support as the Central Government or the designated agency may specify, for conducting tests on the telecommunication network and of the principal telecommunication services, at any time throughout the duration of the authorisation.

(3) Every new authorised entity shall synchronise its telecommunication network's system clock with the national clock, in accordance with the orders, directions and guidelines issued by the Central Government, and in accordance with such standards for telecommunication network synchronisation as may be notified by the Central Government.

(4) Every new authorised entity shall furnish details of principal telecommunication services being provided and the telecommunication network being used to provide such principal telecommunication services, including the details of technology deployed by it, to the Central Government or the designated agency, at such times as may be required pursuant to any direction issued by the Central Government in this regard.

(5) Every new authorised entity shall make its own arrangements, including in respect of right of way, for establishing, operating, maintaining or expanding telecommunication networks and shall be solely responsible for the establishment,

operation, maintenance, expansion and commissioning of necessary infrastructure, telecommunication equipment and systems, and all aspects of its telecommunication network:

Provided that such new authorised entity may take telecommunication network, passive telecommunication infrastructure or telecommunication resources as a service or on lease or hire or on sharing basis, as per applicable rules, on mutually agreed terms from other new authorised entities or licensees.

(6) The non-availability of right of way or delays in obtaining right of way permission by the new authorised entity shall not be a cause or ground for non-fulfilment of the rollout obligations or non-compliance with any other obligations under these rules.

(7) If a new authorised entity requires right of way for establishing, operating, maintaining or expanding its telecommunication network, it shall not, directly or through its facility provider, enter into any agreement for exclusive grant of such right of way with the person having the right to grant that right of way.

(8) Every new authorised entity shall adhere to any plans for telecommunication as may be notified by the Central Government, including the national numbering plan and the National Frequency Allocation Plan.

(9) The telecommunication network taken by a new authorised entity—

(a) as a service from any other new authorised entity or licensee;

(b) on lease or hire from any other new authorised entity, licensee or an entity that has the satellite or space segment capacity authorised by the Department of Space in the Government of India, or any other designated agency specified for this purpose; or

(c) on sharing basis from any other new authorised entity or licensee, as per the applicable rules,

shall be treated as part of the telecommunication network of such new authorised entity for the purposes of provision of principal telecommunication services and compliance of the terms and conditions of the authorisation.

(10) Every new authorised entity, while establishing, operating, maintaining or expanding public land mobile network, shall adhere to the electromagnetic field exposure norms notified by the Central Government for this purpose and shall conduct self-assessment of each base station for checking compliance with such norms, and provide self-certification of such compliance on the portal.

(11) Every new authorised entity shall publish on its website the geographical area wise details of availability of the principal telecommunication services in accordance with the orders, directions or guidelines issued by the Central Government.

(12) Every new authorised entity shall not interconnect leased circuits with public switched telephone network, public land mobile network or internet telephony network.

(13) Every new authorised entity shall adhere to orders, directions or guidelines issued by the Central Government in respect of the following, namely:—

(a) deployment of energy efficient telecommunication equipment;

(b) preferential market access for procurement of indigenously manufactured telecommunication equipment;

(c) enrolment of test users and testing of its telecommunication network, before commercial launch of principal telecommunication services; and

(d) disposal of the radio equipment.

30. Location of telecommunication network systems.—(1) Every new authorised entity shall provide location details of all such systems of its telecommunication network to the Central Government as it may direct.

(2) Every new authorised entity shall, prior to establishment or expansion of telecommunication network in security sensitive areas as may be specified by the Central Government, apply to the Central Government on the portal, for its approval.

(3) Every new authorised entity shall ensure that—

(a) all systems of its telecommunication network,—

(i) owned, or taken as a service from another new authorised entity or licensee; or

(ii) on lease, hire or sharing basis from another new authorised entity or licensee;

are located within its service areas of authorisations for provision of principal telecommunication services:

Provided that in cases where telecommunication network is taken as a service from a cloud-hosted telecommunication network provider or satellite earth station gateway provider authorised under applicable law, the systems of such telecommunication network may be located anywhere in India; and

(b) all data, logs and information associated with its telecommunication network shall be stored within India and no copies of such data, logs and information shall be routed, shared or made available outside India.

(4) Every new authorised entity shall adhere to maps provided by the Survey of India for precise delineation of service area of authorisation along international borders, if any.

31. Sharing of telecommunication network and infrastructure.—(1) A new authorised entity having different authorisations, may share its passive telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network for providing principal telecommunication services permitted under the scope of its authorisations, subject to compliance with the conditions specified under these rules.

(2) The new authorised entity as referred under sub-rule (1), may enter into mutual agreements with any other new authorised entity or licensee for sharing its passive telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network:

Provided that—

(i) any such mutual agreement to share core telecommunication network, lawful interception system and lawful interception monitoring facilities shall be subject to the conditions specified in sub-rules (3) and (4) respectively;

(ii) such new authorised entity shall, prior to entering into such agreement, ensure that the new authorised entity or licensee with which it intends to enter into the agreement is eligible to obtain such passive telecommunication infrastructure, telecommunication equipment, or any other system of its telecommunication network; and

(iii) any such mutual agreement shall not absolve either of the new authorised entities or licensees from adhering to the terms and conditions of their respective authorisations.

(3) A new authorised entity may share its core telecommunication network elements pertaining to such principal telecommunication services, as may be specified on the portal, with other new authorised entities or licensees with the prior approval of the Central Government in writing obtained by such new authorised entity pursuant to an application made, in such form and manner as specified on the portal:

Provided that the Central Government may grant such approval subject to such conditions as may be specified, among other things, that such approval shall not result in less than two core telecommunication networks for the principal telecommunication service in a given service area:

Provided further that for sharing of the core telecommunication network elements pertaining to any other principal telecommunication service, not specified in sub-rule (3), prior approval from the Central Government shall not be required.

(4) A new authorised entity may share its lawful interception system and lawful interception monitoring facilities with other new authorised entities or licensees only after prior approval of the Central Government in writing.

32. Telecommunication network interconnection and peering among network service operators.—(1) Every network service operator may interconnect or peer its telecommunication network with the telecommunication network of any other network service operator or network service operator licensee subject to sub-rules (2), (3) and (4).

(2) The network service operator while undertaking interconnection or peering with the telecommunication network of any other network service operator or network service operator licensee shall ensure—

(a) that the transmission systems for interconnection or peering meet the requirements under section 19 of the Act in respect of standards and interface requirements;

(b) that interconnection and peering, as required, is established on Internet Protocol interface for carrying Internet Protocol-based traffic, as per the standards, including those notified under section 19 of the Act:

Provided that the network service operator shall convert circuit switched traffic to Internet Protocol-based traffic before sending circuit switched traffic to the telecommunication networks of another network service operator or network service operator licensee;

(c) establishment and maintenance of one or more points of interconnection and peering of sufficient capacity as are reasonably required for transmission and reception of messages in conformity with the standards and conformity assessment measures as may be notified by the Central Government under section 19 of the Act; and

(d) that interconnection and peering is technically compatible and effective.

(3) The network service operator shall provide and update the details of interconnection and peering undertaken with any other network service operator or network service operator licensee to the Central Government on the portal.

(4) The network service operator that has an agreement for interconnection or peering with other network service operator or network service operator licensee, whose authorisation or license, is the subject of revocation, surrender or expiry, shall disconnect any interconnection or peering, and where it has provided any telecommunication resource, withdraw such telecommunication resources on the effective date of revocation, surrender or expiry.

33. Monitoring and suspension of principal telecommunication services.—(1) Every new authorised entity shall deploy appropriate technical measures, including automated tools or other suitable mechanisms at its own cost for the application of provisions of sub-section (2) of section 20 of the Act:

Provided that in case of a service area comprising of more than one State or Union territory, the new authorised entity shall ensure such measures enable compliance with sub-section (2) of section 20 of the Act for each relevant State and Union territory separately.

(2) Nothing contained in these rules shall adversely affect anything provided or laid pursuant to the Act or any other applicable law.

(3) Every new authorised entity having authorisation to provide access services, internet services, international long distance services, or permission to establish international internet gateway, international long distance gateway or satellite earth station gateway shall, in accordance with the orders, directions or guidelines that the Central Government may issue in this behalf, and at its own cost—

(a) establish, operate, maintain and expand suitable lawful interception system and lawful interception monitoring facilities in relation to interception of messages or class of messages; and

(b) wherever required, provide integration of the same with such systems and in such manner as the Central Government may specify.

Provided further that the Central Government may, on case-to-case basis, on a written request from a new authorised entity, exempt such entity from the requirement of this sub-rule where—

(i) number of users of that entity are less than such number, as may be specified by the Central Government; or

(ii) the upstream bandwidth on an internet gateway node has been obtained by that new authorised entity from only one new authorised entity or licensee.

(4) Every new authorised entity having authorisation to provide access services or international long distance services, or permission to establish international long distance gateway shall ensure uninterrupted monitoring of such number of simultaneous calls and provision for monitoring of such minimum number of telecommunication identifiers, as specified in the orders, directions or guidelines issued by the Central Government in this regard.

34. Commencement of provision of principal telecommunication services to users.—(1) Every new authorised entity shall, after providing prior intimation to the Central Government on the portal, commence provision of any principal telecommunication service permitted under the scope of its authorisation.

(2) The new authorised entity that has provided intimation under sub-rule (1) shall demonstrate to the Central Government at such time as it may require, including furnishing of such information as it may call for, that principal telecommunication services are being provided in accordance with the scope of its authorisation.

(3) The new authorised entity shall—

(a) before commencement of provision of any principal telecommunication service to users, conduct self-audit of systems and facilities established under rule 33, as per the test schedule and test procedure as may be specified by the Central Government through orders, directions or guidelines, and provide a certification of compliance to the Central Government along with the proposed date of commencement of provision of principal telecommunication service to users;

(b) within fifteen days from the date of commencement of provision of principal telecommunication service to users,—

(i) inform to the Central Government the date of commencement of provision of principal telecommunication service to users; and

(ii) offer for demonstration as per the test schedule and test procedure used for undertaking self-audit under clause (a) to the Central Government and the authorised agency;

(c) on receiving a communication from the Central Government that it has failed to demonstrate compliance with rule 33 pursuant to tests under clause (b), forthwith suspend provision of such principal telecommunication service till such time as the deficiencies are rectified and demonstrated in compliance with the test schedule and test procedure referred to in clause (a); and

(d) after successful demonstration under clauses (b) or (c), if the Central Government specifies additional functional requirements for such lawful interception system and lawful interception monitoring facilities, the new authorised entity shall update such systems and facilities in the time period so specified and offer for demonstration to the Central Government and the authorised agency:

Provided that before commencement of provision of principal telecommunication services through international internet gateway, international long distance gateway or satellite earth station gateway, the new authorised entity shall demonstrate lawful interception system and lawful interception monitoring facilities as per test schedule and test procedure referred to in clause (a).

35. Provision of principal telecommunication services.—(1) Every new authorised entity shall—

(a) prior to commencement of provision of principal telecommunication services to users, inform and publicise the details of the process and procedure on its website as per which any user may register a demand or make a request for such telecommunication services;

(b) without any discrimination register the demand for principal telecommunication services referred in clause (a), from any user in the service area and where technically feasible, provide such telecommunication services to such user, unless otherwise directed by the Central Government;

(c) not discriminate between users registered for its principal telecommunication services under clause (b) with regard to commercial principles for provision of such telecommunication services;

(d) maintain a transparent and open to inspection waiting list of users, whose request for provision of principal telecommunication services is pending;

(e) define the scope of each principal telecommunication service to user, at the time of registration of demand and enrolment of user;

(f) ensure that the user terminal is operated in accordance with the terms and conditions of its authorisation;

(g) issue or cause to be issued in its own name, bills, invoices or vouchers, by whatever name called, to its users for use of the principal telecommunication services with adequate details to the users about the genuineness of such bills, invoices or vouchers.

(h) maintain necessary records of the itemised usage in accordance with the orders, directions or guidelines issued by the Central Government;

(i) offer itemised usage details, as maintained in clause (h), to its users;

(j) inform to users in writing, all the policies and arrangements with respect to repair, fault rectification, compensation or refunds; and

(k) ensure quality of service of principal telecommunication service in conformity with the standards and conformity assessment measures as may be notified by the Central Government under section 19 of the Act.

(2) The Central Government may specify on the portal the restrictions on provision or use of principal telecommunication services in restricted areas falling near the international borders of the territory of India, the Line of Control, the Line of Actual Control of India or any other areas as may be specified on the portal:

Provided that in such restricted areas, the Central Government may allow provision or use of such telecommunication services to specified users and the new authorised entity shall facilitate the same based on directions issued by the Central Government in this behalf.

(3) The new authorised entity may undertake sale, hire, purchase, lease or rent of user terminals, and users shall be given the option to procure the user terminal from open market.

(4) The new authorised entity may, for the last mile connectivity, in addition to its telecommunication network, use the cable network of a cable operator registered under the Cable Television Networks (Regulation) Act, 1995 (7 of 1995).

(5) Save as provided in sub-rule (7) and rules 16, 17 and 81, the new authorised entity shall ensure continuity of the principal telecommunication services to its users.

(6) If the new authorised entity seeks to discontinue provision of one or more, but not all principal telecommunication services to its users, the following provisions shall apply, namely:—

(a) such new authorised entity shall submit an application to the Central Government on the portal, at least sixty days prior to the intended date of discontinuation of provision of such principal telecommunication service, accompanied by the reasons for such intended discontinuation;

(b) the Central Government may approve such application or reject that application on grounds of public interest, national security or due to occurrence of national emergency or war;

(c) such new authorised entity shall pursuant to an approval under clause (b) issue a notice of discontinuation of provision of that principal telecommunication service to users of such telecommunication service, at least thirty days in advance of the intended date of discontinuation, stating the effective date of discontinuation and options available to such users, including mobile number portability, wherever applicable; and

(d) such new authorised entity shall refund to the user the balance amount including security deposit, if any, available with that new authorised entity within a period of thirty days from the effective date of discontinuation of provision of such principal telecommunication service:

Provided that sub-rule (7) shall not be applicable for any discontinuation of principal telecommunication services pursuant to revocation or suspension of such telecommunication services by the Central Government under the Act or rules 16, 17 and 81.

(7) If the new authorised entity receives a request from a user for disconnection of subscribed principal telecommunication services, it shall undertake the disconnection subject to the identification of such user in accordance with the process specified in sub-rules (2) or (3) of rule 40, as the case may be, and update such disconnection, in real time, in the relevant databases, including in the subscriber data record.

(8) Every new authorised entity shall establish and publicise necessary mechanisms including an online mechanism to enable users to register any grievance pertaining to subscribed principal telecommunication service and to redress such grievance, in accordance with the applicable law.

(9) Any dispute with regard to the provision of principal telecommunication services shall only be between a user and the new authorised entity and such new authorised entity shall duly inform the same to the user before provision of such telecommunication services, and the Central Government shall not bear any liability or responsibility in the matter.

(10) Every new authorised entity shall indemnify the Central Government against all claims, costs, charges or damages arising from any claims from users for any reason whatsoever.

(11) Every new authorised entity shall while providing any telecommunication resource to another new authorised entity, the entity exempted from the requirement of authorisation under the applicable law or licensee satisfy itself that such entity is eligible to obtain such telecommunication resource.

(12) Every new authorised entity shall while obtaining any telecommunication resource from another new authorised entity, the entity exempted from the requirement of authorisation under the applicable law or licensee, satisfy itself that such new authorised entity is eligible to provide such telecommunication resource.

36. Right to inspect and undertake assessments.—(1) The Central Government may, for the purposes of monitoring compliance with these rules, after issuing a notice to the new authorised entity in this regard,—

(a) access and inspect the sites where telecommunication equipment and telecommunication network are established for provision of principal telecommunication services, including within a user's premises;

(b) audit processes or systems established by such new authorised entity for compliance of these rules:

Provided that no notice shall be provided to such new authorised entity if the Central Government considers that immediate action is necessary or expedient in public interest:

Provided further that the Central Government may appoint a designated agency to audit processes or systems established by that new authorised entity for compliance of these rules, on such charges as decided by the Central Government, which shall be payable by that new authorised entity:

Provided also that such designated agency shall not collect nor require the disclosure of any information, the disclosure of which may harm the competitive position of any user or the new authorised entity, including any confidential data, commercially price sensitive data, trade secrets, intellectual property, or information covered by fiduciary relationship from the telecommunication network or premises of that new authorised entity or user:

Provided also that if the Central Government considers the collection of information of new authorised entity that is covered by the third proviso is necessary for arriving at the findings of the audit, then it may direct the designated agency to collect such data and the decision of the Central Government in this regard shall be final.

(2) Every new authorised entity shall provide the necessary facilities and support to facilitate the audit and inspection as required under sub-rule (1).

37. Confidentiality of information.—(1) The Central Government may evaluate any telecommunication equipment used for encryption, connected to a new authorised entity's telecommunication network and such new authorised entity shall remove any such equipment if so directed by the Central Government.

(2) Every new authorised entity shall, subject to the terms and conditions of the authorisation, take all necessary steps to safeguard the privacy and confidentiality of any information of a user and its business, to whom it provides the principal telecommunication services or from whom it has obtained such information for provision of telecommunication service and shall endeavour to ensure that—

(a) no such new authorised entity or any person acting on its behalf seeks such information other than what is necessary, for the purpose of provision of principal telecommunication services or checking the *bona fide* use of such telecommunication services by the user;

(b) no such new authorised entity or any person acting on its behalf divulges or uses any such information except as may be necessary in the course of providing telecommunication services to the user:

Provided that sub-rule (2) shall not apply where—

(i) the information relates to a specific user and such user has consented in writing to such information being divulged or used, and such information is divulged or used in accordance with the terms of such consent; or

(ii) the information is already accessible to the public and otherwise known.

(3) Every new authorised entity shall prior to commencement of provision of principal telecommunication services, confirm in writing to the Central Government that it has taken all necessary steps to ensure compliance with all applicable laws to protect data privacy and confidentiality of any information of a user, including such compliance by its employees and consultants.

(4) Notwithstanding anything stated in sub-rule (2), the new authorised entity shall, on receiving a direction from the Central Government in the public interest for the purpose of ensuring telecom cybersecurity, enable the Central Government to access and utilise the data as it may require for the performance of any function in accordance with the applicable law.

(5) Every new authorised entity shall not share any information relating to its telecommunication network with any other person except with the prior approval of the Central Government in writing:

Provided that no such approval shall be required for providing such details of the telecommunication network as may be required by its telecommunication equipment suppliers or manufacturers.

38. Services during public emergency, and for public safety and disaster management.— (1) Every new authorised entity shall for the purposes of disaster management, ensuring public safety or providing response to an emergency or a disaster as defined under the Disaster Management Act, 2005 (53 of 2005), adhere to such directions or guidelines issued by the Central Government in this regard.

(2) Every new authorised entity that holds access service authorisation shall—

(a) facilitate dissemination of alert messages through short message service, cell broadcast or any other means as may be directed by Central Government, State Government or any officer authorised in this behalf by the Central Government or State Government; and

(b) implement roaming in accordance with the guidelines or directions issued by the Central Government or the designated agency.

CHAPTER VI

SECURITY CONDITIONS

PART A

GENERAL SECURITY CONDITIONS

39. Management of new authorised entity.—(1) Every new authorised entity shall ensure the following, namely:—

(a) majority of directors on the board of such new authorised entity shall be Indian citizens;

(b) the chief officer in charge of telecommunication network, security, officers in charge of core telecommunication network and system administrators of such new authorised entity shall be resident Indian citizens; and

(c) the nodal officers authorised by such new authorised entity under the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024, and designated by such new authorised entity

under the Telecommunications (Temporary Suspension of Services) Rules, 2024, as well as any other nodal officer of that new authorised entity dealing with the subject matter of these rules, shall be resident Indian citizens.

(2) Every new authorised entity shall ensure security vetting of any foreign nationals by the Ministry of Home Affairs in the Government of India—

(a) prior to the appointment of such foreign national to the positions of the chairman, managing director, chief executive officer or chief financial officer, and such security vetting shall be done on an annual basis for the duration of such appointment; and

(b) prior to the deployment of such foreign national for the establishment, operation, maintenance or expansion of its telecommunication network.

(3) Every new authorised entity shall apply for security vetting provided in sub-rule (2) in accordance with the orders, directions or guidelines issued by the Central Government, and the decision of the Ministry of Home Affairs in the Government of India in this regard shall be binding on such new authorised entity.

40. Enrolment of users, activation of principal telecommunication services and updating of user information.— (1) Every new authorised entity shall ensure identification of each user of its principal telecommunication services in accordance with applicable law.

(2) In respect of principal telecommunication services notified under sub-section (7) of section 3 of the Act, the relevant new authorised entity shall undertake identification of a user, in accordance with the applicable law,—

(a) prior to enrolment and activation of principal telecommunication services of such user,

(b) at the time of updating of user information, and

(c) at the time of disconnection of principal telecommunication services on request of such user.

(3) In respect of principal telecommunication services other than those notified under sub-section (7) of section 3 of the Act, the relevant new authorised entity shall, subject to such orders or directions or guidelines issued by the Central Government, undertake identification of the user through any method as the new authorised entity may deem fit,—

(a) prior to enrolment and activation of principal telecommunication services of such user;

(b) at the time of updating of user information in the following circumstances, namely:—

(i) if he seeks to change his name, gender or date of birth;

(ii) if there is change of user under sub-rule (7); and

(c) if the Central Government, with a view to ensure proper and *bona fide* use of telecommunication service requires the same through orders, directions or guidelines specified on the portal.

(4) Every new authorised entity shall, at the time of enrolment of a user, collect and maintain the details of information of such user in its databases, including customer application form and subscriber data record for each principal telecommunication service, and maintain an updated database of its users in accordance with the orders, directions or guidelines issued by the Central Government.

(5) Every new authorised entity shall ensure that—

(a) the user information collected by point of sale shall be securely transferred to the relevant systems of the authorised entity, and no such information shall be stored in physical or electronic form by the point of sale; and

(b) the subscriber data record and other databases are operated and maintained in compliance with the laws for the time being in force, including laws relating to data protection and security.

(6) Every new authorised entity shall, prior to activation of principal telecommunication service in respect of a user, adhere to such orders or directions or guidelines as may be specified on the portal.

(7) Any change in the user of a principal telecommunication services other than those notified under sub-section (7) of section 3 of the Act (hereinafter referred to as "existing user") may be done only to the relatives or legal heirs of such user (hereinafter referred to as "new user"), on a request made by the existing user or new user, subject to the following, namely:—

(a) the provision of such principal telecommunication service to the new user being treated as a new telecommunication service connection; and

(b) fulfilment of the following conditions, namely:—

(i) submission of a no objection certificate from the existing user and identification of both users, i.e. the existing user and the new user, in accordance with sub-rule (3):

Provided that in case the existing user is unable to fulfil any requirement under this clause due to incapacity, in lieu of such requirement, a medical certificate shall be submitted to evidence such incapacity;

(ii) in case the existing user is deceased, submission of his death certificate and identification of the new user in accordance with sub-rule (3); and

(iii) such other conditions as may be specified on the portal.

(8) Every new authorised entity shall provide access to the database maintained under sub-rule (4), and to the traceable identity of the user to the Central Government, the authorised agency, or the designated agency:

Provided that in case of providing roaming services to foreign users, such new authorised entity shall endeavour to obtain traceable identity of such users from the relevant telecommunication service provider outside India, as a part of its roaming agreement.

41. Additional obligations of authorised entities.—(1) Every new authorised entity shall explain to users, in a clear and explicit manner, their duties and obligations to provide correct information when establishing their identity, while enrolling for principal telecommunication services, updating user information or disconnecting principal telecommunication services, and the consequences for non-compliance, including in respect of—

(a) obtaining subscriber identity modules or other telecommunication identifiers through fraud, cheating or personation;

(b) providing false, incorrect, or forged information or documents, suppressing any material information, or impersonation, while establishing his or her identity; and

(c) resale or transfer or lease of his telecommunication service connection to any other user:

Provided that this clause shall not restrict the change of user under sub-rule (7) of rule 40, sub-rule (6) of rule 42 or as provided under the applicable law.

(2) Every new authorised entity shall also explain to users, in a clear and explicit manner their obligations to—

(a) ensure *bona fide* use of principal telecommunication services, and consequences of misuse of such telecommunication services as per applicable laws;

(b) forthwith provide information to the new authorised entity of any change in the address of such user, accompanied by a document evidencing the new address; and

(c) forthwith provide information to the new authorised entity of any change to his user information, to ensure the accuracy and integrity of information in such new authorised entity's databases, including in the subscriber data record:

Provided that the new authorised entity shall duly update information provided by the user under clauses (b) and (c) in the subscriber data record, while maintaining the old and new information along with time stamp.

(3) If it comes to the notice of the new authorised entity that false, incorrect or forged information or documents were presented or used, or any material information was suppressed or impersonation was done for identification, enrolment, disconnection or updating of user information of the user, such new authorised entity shall—

(a) initiate a complaint with the police or file a first information report with the relevant law enforcement agency with the requisite details, including the details of the false, incorrect or forged information or documents, or material information suppressed or impersonation done; and

(b) inform to the Central Government on the portal, the steps taken pursuant to clause (a).

(4) If it comes to the notice of the Central Government that the new authorised entity has failed to take any action as specified in sub-rule (3), the Central Government may direct such new authorised entity to initiate a complaint with the police or file a first information report with the relevant law enforcement agency and initiate action against that new authorised entity under Chapter VIII of the Act.

42. Additional conditions for enrolment and activation of principal telecommunication services for business users.—(1) For the purposes of this rule,—

(a) "business connection" means one or more telecommunication service connections or subscriber identity modules of such principal telecommunication services, as may be specified on the portal, provided to a business user for its *bona-fide* use.

(b) "business user" means a user who—

(i) is a legal person constituted under applicable law, and includes a company, partnership firm, limited liability partnership, trust, co-operative society, society, Central Government Department and State Government Department; or

(ii) possesses a trade or business license or permit, by whatever name called, issued under applicable law;

(c) "end user" of a business connection means the individual who uses, for the purposes permitted by the relevant business user, the subscriber identity module provided to such business user.

(2) Every new authorised entity, in addition to the obligations under rules 40 and 41, shall ensure compliance with the following, namely:—

(a) undertake due diligence and record in writing the reasons provided by the business user for seeking a business connection and details of end users of such business connection, if any;

(b) prior to provision of any business connection,—

(i) verify such details and collect such documents as may be specified on the portal, in addition to those required pursuant to rule 40;

(ii) conduct inspections of the premises where such business user and business connection is located;

(iii) undertake identification of the authorised representative of the business user, and of each end user, if any, in accordance with the sub-rules (2) or (3) of rule 40, as the case may be; and

(iv) communicate to the business user that the business connection being provided shall be subject to such business user ensuring proper and *bona fide* use of the telecommunication service connection or subscriber identity module by each user;

(c) on activation of a business connection,—

(i) conduct inspections, at least once in every period of six-months and in the presence of authorised representative of business user, of the premises where such business connection is located, to verify the *bona fide* use of the business connections, and maintain and preserve for a minimum period of two years, the record of such inspection, for verification by the Central Government or the designated agency; and

(ii) maintain an updated database of business users in accordance with the orders, directions or guidelines issued by the Central Government, and provide access to such database to the Central Government, the authorised agency and the designated agency.

(d) If such business user ceased to exist, disconnect each of the business connections of such user and update the same in the relevant database in accordance with the applicable rules, as well as such orders, directions or guidelines as may be specified on the portal:

Provided that the Central Government may exempt new authorised entity from applicability of any of the provisions set forth in this sub-rule in respect of end user or a class of end users.

(3) If a business connection involves telecommunication service connections such as leased circuit, internet leased line, session initiation protocol trunks, primary rate interface lines or short message service gateway links at the premises of a business user, the new authorised entity shall, in addition to the provisions of sub-rule (2), also adhere to the following, namely:—

(a) prior to activation of such connections, it shall undertake an assessment and record the details of all telecommunication service connections that are connected with public switched telephone network, national long distance network, international long distance network, public land mobile network, other internet leased lines, as well as other types of telecommunication service connections as may be available with such business user at its premises, accompanied by the reasons provided by the business user for such connections;

(b) communicate and specify the activities that are prohibited for such business user, in the customer application form;

(c) inspect the premises where the business connection is located, within fifteen days of activation to check misuse or connection of internet leased line with such telecommunication service connections; and

(d) ensure that a diagram of the telecommunication network along with details of telecommunication links at the premises of each business user is available with such new authorised entity, and provide the same for inspection as may be required by the Central Government or the designated agency.

(4) If the new authorised entity detects misuse of any business connection during physical inspection or otherwise, it shall forthwith disconnect such business connection, and initiate appropriate proceedings under applicable law against such business user, and shall communicate to the Central Government in writing of action taken in this regard within twenty-four hours of detection of such misuse.

(5) The Central Government may, on receiving the communication under sub-rule (4),—

(a) share the information regarding the misuse of business connection by the business user, with other new authorised entities or licensees; and

(b) direct withdrawal of all or some of the business connections issued to such business user.

(6) The following conditions shall apply in respect of any change in end user of a business connection made by the authorised representative of the business user concerned, namely:—

(a) the new authorised entity shall explain to such authorised representative his obligation to inform the new authorised entity of such change within such period as may be specified on the portal; and

(b) the new authorised entity shall explain to such authorised representative, in a clear and explicit manner, his obligation to ensure that identification of the new end user is undertaken, in accordance with sub-rules (2) or (3) of rule 40, as the case may be, within fifteen days from the date of intimation of such change, failing which such new authorised entity shall disconnect the business connection:

Provided that nothing in this sub-rule shall apply in respect of end user or class of end users exempted under the proviso to sub-rule (2).

Explanation.—For the purposes of this rule, "authorised representative" in relation to a business user means—

1. the whole-time members of the governing body to which the management of affairs of such user is entrusted;

2. the chief executive of such user, who is entrusted with substantial powers of management in respect of the whole of the affairs of that user; and

3. any other individual specifically authorised by such governing body or chief executive, in this behalf.

43. Additional conditions for enrolment and activation of principal telecommunication services for natural persons.—(1) Every new authorised entity, individually and collectively with other new authorised entities or licensees, providing specified type of principal telecommunication services, shall not provide to a user who is a natural person a telecommunication service connection or subscriber identity module in excess of such number as may be specified by the Central Government by notification:

Provided that the Central Government may specify different numbers for different types of principal telecommunication services and service areas:

Provided further that the Central Government may specify on the portal a mechanism to verify and inspect the number of connections or subscriber identity modules provided to such user.

(2) Every new authorised entity shall, prior to providing any telecommunication service connection or subscriber identity module to the user, seek an undertaking that such user does not hold connections or subscriber identity modules in excess of such number as may be specified by the Central Government under sub-rule (1).

(3) Every new authorised entity shall, if an undertaking provided by the user in sub-rule (2) is incorrect or false, in addition to any other action, disconnect the principal telecommunication services.

(4) If a natural person seeks leased circuit, internet leased line, session initiation protocol trunks, primary rate interface lines or short message service gateway links, the provisions of sub-rules (2), (3), (4) and (5) of rule 42 shall apply *mutatis mutandis.*

44. Data to be located in India.—No new authorised entity shall transfer the following information to any person or place outside India, namely:—

(a) accounting information relating to a user, except for international roaming and billing related information:

Provided that nothing in this rule shall restrict any financial disclosure as may be required under these rules or as under applicable law;

(b) user information, except in respect of information pertaining to international private leased circuit users and foreign users using such new authorised entity's telecommunication network while roaming.

45. Maintenance of records.—(1) Every new authorised entity shall—

(a) ensure that all documentation, including software details of telecommunication equipment and systems are obtained from manufacturer, vendor or supplier of telecommunication equipment and systems in English

language and preserve such documentation;

(b) maintain a record of all software updates and changes, and provide to the Central Government details of such category of software updates and changes within fifteen days of completion of such updates and changes as decided by the Central Government from time to time:

Provided that this clause is without prejudice to the obligations of a new authorised entity in respect of critical telecommunication infrastructure under the Telecommunications (Critical Telecommunication Infrastructure) Rules, 2024.

(c) obtain the details of the supply chain of the telecommunication equipment and systems, from the manufacturer, vendor or supplier of the telecommunication equipment and systems at the time of procurement and keep a record of the same;

(d) keep a record of operation and maintenance procedure in the form of a manual;

(e) maintain and store records of all operations and command logs, which shall include the details of command given along with the details of executing authority, date, time and place, in a manner so as to enable access to the Central Government or designated agency—

(i) on real-time basis, for a minimum period of twelve months; and

(ii) on a non-real time basis in digital mode for the next twenty-four months.

(2) Every new authorised entity shall maintain all commercial records, subscriber data record, call data record or call detail record, exchange detail record, internet protocol detail record or internet protocol data record and any other similar records for all principal telecommunication services provided by such new authorised entity in accordance with the orders, directions or guidelines issued by the Central Government for a period of two years unless directed otherwise by the Central Government:

Provided that the Central Government may direct that new authorised entity to maintain the records specified in this sub-rule for a period longer than two years in respect of any user.

(3) Every new authorised entity shall provide the details of the records maintained under sub-rule (2) to the Central Government or the designated agency.

46. Domestic traffic not to be routed outside India.— Every new authorised entity shall ensure that domestic traffic, or any part thereof, is not hauled or routed through any place outside India:

Explanation.—For the purposes of this rule, it is clarified that usage of satellites and domestic submarine cables for transmitting and receiving domestic traffic without transiting through any country other than India, shall not be treated as hauling or routing domestic traffic outside India.

47. Securing information transacted through telecommunication network.—(1) Every new authorised entity shall take adequate and timely measures to ensure that the messages communicated through the telecommunication network are secure and protected.

(2) Every new authorised entity shall ensure privacy of messages communicated through its telecommunication network and that unauthorised interception of messages does not take place:

Provided that nothing in this sub-rule shall prevent the new authorised entity from providing records of messages and other data from its telecommunication network to the Central Government or the authorised agency, on receipt of a direction in exercise of powers under the applicable law.

(3) Without prejudice to the obligations under the Telecommunications (Telecom Cyber Security) Rules, 2024, every new authorised entity shall implement appropriate fraud management and prevention system using the latest available technologies, including big data analytics, artificial intelligence or other suitable mechanism, to detect any anomalous behaviour of user or point of sale, misuse of telecommunication services, establishment of any clandestine or illegal telecommunications networks, any threat to telecom cyber security and users that avail of principal telecommunication services fraudulently, and shall take action including filing of police complaints or first information reports against those found involved in such activities.

(4) Every new authorised entity shall also provide the details of all users and telecommunication identifiers detected through the fraud management and prevention system implemented under sub-rule (3) to the Central Government or designated agency on the portal.

(5) Every new authorised entity shall, on receiving a request from the Central Government or the designated agency, provide information and support as necessary in respect of any investigation for detection of any anomalous behaviour of user or point of sale, misuse of telecommunication services, establishment of any clandestine or illegal telecommunication network, any threat to telecom cyber security and users that avail of principal telecommunication services fraudulently.

48. Calling line identification.—(1) Every new authorised entity shall ensure presentation of calling line identification to a called user—

(a) in a manner that is secured from tampering; and

(b) in accordance with such requirements as may be specified on the portal.

(2) Every new authorised entity shall deploy appropriate technical measures, including automated tools or other suitable mechanisms, to identify call attempts with false, tampered or spoofed calling line identification in its telecommunication network and prevent call using such calling line identification.

49. Prevention of use of telecommunication network for unauthorised or unlawful activities.— Every new authorised entity shall ensure that its telecommunication network is used only for providing principal telecommunication services for which it is authorised, to bona fide users and not for undertaking any activities or commissioning any action that constitutes an offence under the Act, the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or any other law for the time being in force, including laws prohibiting crimes against the State.

50. Trusted sources and trusted products.—(1) For the purpose of this rule, the designated authority shall be the National Cyber Security Coordinator of the Central Government, who shall determine the categories of telecommunication equipment for which the security requirements relating to trusted sources and trusted products are applicable, and specify the same on its website for this purpose.

(2) The designated authority may specify the list of trusted sources along with the associated trusted products for the categories of telecommunication equipment as specified under sub-rule (1).

(3) The designated authority may specify the procedure for inclusion of telecommunication equipment in the list of trusted sources and trusted products referred to in sub-rule (2).

(4) The designated authority may also specify a list of persons from whom no procurement of telecommunication equipment may be undertaken.

(5) Every new authorised entity shall adhere to conditions as specified by the designated authority on its website for procurement of telecommunication equipment and establish, operate, maintain and expand only trusted products in its telecommunication network.

(6) Every new authorised entity shall register itself on the website specified by the designated authority and provide relevant details relating to the telecommunication network or telecommunication equipment as may be required by such authority.

(7) Every new authorised entity shall, prior to the procurement of telecommunication equipment or categories thereof, for establishing its telecommunication network or any upgradation or expansion thereof, adhere to the following process, namely:—

(a) if the designated authority has already determined certain telecommunication equipment as trusted products and their corresponding trusted sources under sub-rule (2), such new authorised entity shall ensure compliance with the same and submit to the designated authority,—

(i) the list of telecommunication equipment and the sources from which it is planning to procure; and

(ii) periodic reports of procurement of telecommunication equipment and sources thereof, and the locations of deployment of the same;

(b) if clause (a) is not applicable, such new authorised entity shall submit to the designated authority the details of the telecommunication equipment and their sources from which it is intending to procure the same, as per the procedure specified by the designated authority for this purpose under sub-rule (3);

(c) if the designated authority approves the telecommunication equipment and their sources as submitted under clause (b) above, such new authorised entity shall proceed to procure and install the same; and

(d) such new authorised entity shall adhere to such directions or guidelines, including the guidance for enhanced supervision and effective control of telecommunication networks, issued by the Central Government or the designated authority.

(8) Every new authorised entity shall provide relevant technical, operational, supply chain and security-related information relating to the telecommunication equipment deployed or being deployed in its telecommunication network, on receiving a request from the Central Government or the designated authority in this regard.

(9) Every new authorised entity shall submit to the Central Government or the designated agency, compliance reports under this rule, through the portal, within such date as may be specified therein.

(10) These rules shall be without prejudice to any other measure taken by the Central Government, that it may consider necessary or expedient for the purpose of national security under section 21 of the Act, which shall be binding on new authorised entities.

51. Breach of security provisions.—(1) Any civil penalty imposed for breach of security provisions on a new authorised entity shall be without prejudice to any other liability and criminal proceedings under applicable law.

(2) The Central Government may blacklist such manufacturer, vendor or supplier from doing business in India who has supplied the telecommunication equipment, including hardware or software that has caused the breach of security provisions under these rules.

(3) Every new authorised entity shall include a provision to give effect to sub-rule (2), in the agreement signed with manufactures, vendors or suppliers.

52. Prohibition of certain activities.—(1) A telecommunication network of a new authorised entity established under these rules shall not be used for transmission of—

(a) messages which are illegal or unauthorised as per applicable law, including rules made under the Information Technology Act, 2000 (21 of 2000); or

(b) messages infringing copyright and intellectual property right in any form.

(2) Every new authorised entity shall take necessary measures to prevent transmission of message in violation of sub-rule (1), in its telecommunication network, on receipt of such direction from the Central Government or an order of the court.

(3) Every new authorised entity shall facilitate without any delay, where so required by the Central Government or the designated agency, tracing of any messages including objectionable, obscene, unauthorised, nuisance, obnoxious or malicious calls or messages transmitted through its telecommunication network for purposes of investigation or for detection of crimes or in the interest of national security:

Provided that any damages arising on account of such new authorised entity's failure in this regard shall be payable by that new authorised entity.

(4) Every new authorised entity shall ensure that its employees, manufacturers, suppliers, vendors, consultants or any other relevant person that have access to the telecommunication network or any information relating to provision of principal telecommunication services maintain secrecy and confidentiality of any confidential information divulged to, or available with such new authorised entity for proper implementation of the authorisation.

(5) Every new authorised entity shall ensure that its telecommunication network or installation thereof does not become a safety or health hazard and is not in contravention of any applicable law.

53. Providing remote access to the telecommunication network.—(1) Every new authorised entity shall seek prior permission of the Central Government, to provide remote access to its telecommunication network from a location outside India and for seeking such permission it shall provide the following details, namely:—

(a) purpose and duration of such remote access and details of the person who shall access its telecommunication network; and

(b) details of the specific location of the telecommunication network within India to which remote access is sought from the specific location outside India.

(2) A new authorised entity may, pursuant to the permission obtained under sub-rule (1), provide remote access to its telecommunication network, subject to the following conditions, namely:—

(a) such new authorised entity shall provide remote access only through approved locations within India from approved locations outside India and shall be limited to the purpose as specified under such permission;

(b) the remote access to the telecommunication network shall not enable access to subscriber data record, lawful interception system and lawful interception monitoring facilities, call detail records, internet protocol detail records, call content of messages and any other such sensitive data as may be specified by the Central Government through orders, directions or guidelines that it may issue in this regard;

(c) such new authorised entity shall provide such suitable technical systems, as may be specified on the portal, at the approved location in India, that is connected with the approved location outside India, to enable the Central Government or the designated agency to access and monitor the mirror image of the information available at the approved location outside India, in accordance with the directions issued by the Central Government in this regard; and

(d) such new authorised entity shall maintain the complete audit trail of the remote access activities pertaining to the telecommunication network for a period of six months at the approved location in India and provide such information to the Central Government or the designated agency, in accordance with the directions or guidelines issued by the Central Government in this regard.

(3) This rule shall be without prejudice to the obligations of the new authorised entity with regard to critical telecommunication infrastructure under the Telecommunications (Critical Telecommunication Infrastructure) Rules, 2024.

54. General security conditions.—(1) Every new authorised entity shall—

(a) be responsible for security of its telecommunications network and undertake measures as may be required to ensure security of the telecommunication network;

(b) provide facilities as the Central Government may require to respond to any situations of espionage, subversive acts, sabotage or any other unlawful activity;

(c) ensure capability to suspend provision of principal telecommunication services in such areas and subject to such accuracy as may be specified by the Central Government or the State Government in respect of the boundary of the area so specified;

(d) ensure that all its manufacturers, vendors or suppliers adhere to such directions relating to security of the telecommunication network as may be issued by the Central Government, including providing access to such new authorised entity, the Central Government or the designated agency to inspect the hardware, software, design, development, manufacturing facility and supply chains of such manufacturers, vendors or suppliers, for the purpose of conducting security checks and risk assessments at any time; and

(e) provide the geographical location of any user at a given point of time on receiving a request from the Central Government or the designated agency:

Provided that in case of terrestrial mobile services, along with the location details, latitude and longitude of base station shall also be provided.

(2) Every new authorised entity shall implement appropriate technical and organisational measures, and reasonable security safeguards to ensure effective observance of the provisions of these rules.

(3) This rule shall be without prejudice to any other measure that the Central Government may take in the interest of national security under section 21 of the Act.

PART B

SECURITY CONDITIONS IN RESPECT OF REGULATION OF POINT OF SALE

55. Applicability of Part B of Chapter VI.—This Part shall apply to such principal telecommunication services as may be specified on the portal.

56. Point of sale.—For the purpose of this Part,—

(a) "point of sale" means a person providing point of sale services and who may be,—

(i) a new authorised entity or licensee; or

(ii) an agent, franchisee or distributor of a new authorised entity or licensee who shall be a company, a partnership firm, sole proprietorship or a person possessing a trade or business license, permit or registration, by whatever name called, to carry on a trade or business, issued under applicable law; or

(iii) any person employed or engaged in any manner by a person referred to in sub-clauses (i) and (ii).

Explanation.—If the point of sale is a person as specified under sub-clause (iii), such person shall be treated as a distinct point of sale;

(b) "point of sale services" means the services relating to—

(i) identification of a user to avail of principal telecommunication services; or

(ii) enrolment of a user to avail of principal telecommunication services; or

(iii) updating of user information; or

(iv) distribution of subscriber identity module or user terminals; or

(v) recharge and other billing activities in respect of principal telecommunication services; or

(vi) disconnection of principal telecommunication services of a user.

57. Obligations of new authorised entity in respect of point of sale.—(1) Every new authorised entity shall register and enter into agreement with each point of sale, in accordance with this rule, for the provision of relevant point of sale services:

Provided that such new authorised entity shall be solely responsible to ensure compliance with the terms and conditions set forth under these rules, including adequate verification of user prior to enrolment of such user for principal telecommunication services.

(2) Every new authorised entity shall, prior to entering into an agreement with a point of sale,—

(a) develop a mechanism for generation and sharing of unique point of sale identity's, including any such existing identity's, in real time, in a joint collaboration with other new authorised entities and licensees:

Provided that such mechanism shall ensure that each point of sale shall be assigned only one unique point of sale identity, which shall be common in respect of all new authorised entities and licensees who have entered into agreements with such point of sale;

(b) register the point of sale, in the following manner, namely:—

(i) identify such point of sale using documents as may be specified on the portal;

(ii) authenticate the identity of such point of sale using verifiable biometric based identification;

(iii) undertake physical verification of the addresses of the residence, if applicable, and place of business declared by such point of sale, and as and when such information is updated by that point of sale, and record the location coordinates of such addresses, during such physical verification;

(iv) assign a unique point of sale identity to such point of sale; and

(v) if directed by the Central Government, undertake the process of police verification of such point of sale, in respect of such service area as may be specified by the Central Government in such direction.

(3) Every new authorised entity shall—

(a) maintain the details of the point of sale and update the contact details or any other information of such point of sale, within seven days from any change in such details; and

(b) share the database containing details as specified in clause (a) with the Central Government, the authorised agency or the designated agency on a real time basis.

(4) On completion of the steps specified under sub-rule (2), the new authorised entity shall enter into agreement with the point of sale, specifying the terms and conditions of point of sale services, including—

(a) scope and duties of such point of sale;

(b) the process of identification, enrolment, disconnection and updating of user information, including specification of equipment that may be used for this purpose, in conformity with the applicable rules as well as directions, procedures or instructions as may be specified on the portal;

(c) area of operations of such point of sale, which shall be limited to the service area of authorisation of such new authorised entity:

Provided that if the service area of that new authorised entity is the national service area, the area of operation of that point of sale shall be limited to a specific geographical area, corresponding to the telecom circle or metro service area, as specified in Schedule B:

Provided further that if services are being offered to a business user, that point of sale shall be of the service area where such business user has its registered office or corporate office, and the area of operation of such point of sale that is offering the service to the registered or corporate office of such business user shall extend to other geographical areas where such business user may require or utilise the services;

(d) inter-se relationship of such point of sale with another point of sale, if any;

(e) prohibition of any transfer or assignment of such agreement;

(f) prohibition of any delegation of duties and obligations of such agreement;

(g) consequences for violation of any term or condition of the agreement, including liquidated damages and termination of such agreement;

(h) provide details of assigned point of sale identity; and

(i) the Central Government shall not have any liability in respect of any dispute between a new authorised entity and a point of sale.

(5) Every new authorised entity shall, pursuant to entering into an agreement under sub-rule (4),—

(a) communicate a unique point of sale identity, in real time, to all other such type of new authorised entities or licensees as specified by the Central Government; and

(b) maintain and update an online supply chain management system of subscriber identity module and specified type of user terminals on a real time basis, as well as details of movement of such subscriber identity module and user terminals from authorised entity to users, directly or through a point of sale, and provide such details when required by the Central Government, the authorised agency or the designated agency.

(6) In respect of point of sale providing point of sale services limited to recharge and other billing activities, sub-rules (2), (4), (5) and clause (b) of sub-rule (3) shall not be mandatory.

(7) Every new authorised entity shall use such information technology tools as are necessary to detect and prevent any unusual or suspicious activities on part of the point of sale or the user, including those which may occur during the registration of point of sale, or performance of point of sale services by the point of sale, and inform the details on the portal, of such point of sale or user to the Central Government.

(8) Every new authorised entity shall terminate the agreement with a point of sale, and block the unique point of sale identity of such point of sale, across all authorisations held by such new authorised entity, within twenty-four hours of occurrence of any of the following circumstances, namely:—

(a) if that new authorised entity finds that any information or document provided by the point of sale during the process of registration or entering into the agreement is false or forged; or

(b) if that new authorised entity detects any unusual or suspicious activities as per sub-rule (7); or

(c) on receiving any direction for termination from the Central Government.

(9) The new authorised entity that blocks a unique point of sale identity under sub-rule (8) shall—

(a) communicate such information to all other new authorised entities across all service areas, in real time, and such other new authorised entities shall also terminate their respective agreements with such point of sale, within twenty-four hours of receipt of such information; and

(b) ensure that such point of sale shall not be able to undertake any point of sale services.

(10) Every new authorised entity, in respect of termination under sub-rules (8) and (9), shall—

(a) submit a report to the Central Government, detailing all actions taken in respect of termination, within three days of such termination; and

(b) ensure that no agreement for engagement of such point of sale is made for a duration of at least three years thereafter across all service areas of authorisation.

(11) Every new authorised entity shall forthwith, re-verify all users that had been previously enrolled by the point of sale referred to in sub-rule (8) during a period of up to three months, as may be decided by the Central Government, prior to blocking unique point of sale identity.

(12) The Central Government may, on occurrence of any other contravention of these rules on account of actions of a point of sale, other than those specified under sub-rule (8) or in the interest of national security, direct the new authorised entity to take relevant action against the point of sale, as per the agreement referred to in sub-rule (4).

(13) Every new authorised entity shall implement directions issued under sub-rule (12) and shall bear all liabilities in this regard.

(14) Every new authorised entity shall indemnify the Central Government in respect of all claims, costs, charges or damages that may arise in furtherance of this rule.

(15) The agreement between the authorised entity and the point of sale is independent of the Central Government, and the Central Government shall not have any liability in respect of any dispute between a new authorised entity and a point of sale.

CHAPTER VII
SPECIFIC CONDITIONS FOR PROVISION OF PRINCIPAL TELECOMMUNICATION SERVICES USING SATELLITE NETWORK

58. Applicability of Chapter VII.—This chapter shall apply to every new authorised entity intending to provide or providing principal telecommunication service using satellite network, and all such new authorised entities shall adhere to the conditions specified in this chapter, as well as other terms and conditions of such authorisation as provided under these rules.

59. Provision of principal telecommunication services through satellite network.—(1) Every new authorised entity intending to establish, operate, maintain or expand a satellite network, or to provide principal telecommunication service using a satellite network, shall apply for permission of the Central Government, in such form and manner as specified on the portal, accompanied by the following information, namely:—

(a) details of the satellite or space segment capacity, including relevant information as specified under sub-rule (2);

(b) details of the satellite earth station gateway along with its location details; and

(c) any other information as may be required by the Central Government.

(2) A new authorised entity making an application under sub-rule (1) shall,—

(a) own the relevant satellite or space segment capacity authorised by the Department of Space in the Government of India, or any other designated agency specified for this purpose; or

(b) enter into an agreement with an entity that has the relevant satellite or space segment capacity authorised by the Department of Space in the Government of India, or any other designated agency specified for this purpose, that contains enforceable obligations as specified under sub-rule (4).

(3) The Central Government may, subject to its assessment of the application, grant permission to the new authorised entity, subject to such terms and conditions as it may specify in such permission, including that such new authorised entity—

(a) may use one or more permitted satellite or space segment capacity, subject to compliance with the condition that the satellite earth station gateway for each such satellite or space segment capacity is located in India; and

(b) shall prior to undertaking such change in the satellite network or in frequency band as specified in the orders, directions or guidelines issued by the Central Government, apply on the portal, for its approval in writing.

(4) Every new authorised entity shall report the following incidents to the Central Government, and shall adhere to such directions issued by the Central Government in this behalf, namely:—

(a) unauthorised satellite signal that it may detect originating or terminating within India; and

(b) unauthorised access from India of any satellite that may be under its control or operation which is being used to provide service outside India.

(5) If a new authorised entity enters into an agreement under clause (b) of sub-rule (2), it shall, for the purposes of compliance with sub-rule (4), ensure that such agreement provides for an obligation on the entity, with whom such new authorised entity has entered into agreement, to forthwith inform that new authorised entity of any incident referred to in sub-rule (4).

(6) A new authorised entity that has been granted permission under sub-rule (3) may apply for assignment of spectrum under applicable law, subject to meeting any other eligibility conditions for such assignment under such law.

Explanation.—For the removal of doubts, it is clarified that grant of permission under sub-rule (3) shall not be construed as conferring any right to the assignment or use of spectrum on a new authorised entity.

60. Technical and operating conditions.—(1) A new authorised entity permitted to use satellite network under rule 59 shall adhere to the following technical and operating conditions, namely:—

(a) ensure that all traffic on the satellite network originating from or terminating on the user terminals located in India shall pass through a satellite earth station gateway, located in India, of such new authorised entity;

(b) ensure that no traffic originating from or terminating at a user terminal located in India is routed via satellite earth station gateways located outside India, directly or through inter-satellite communication links, including during failure of satellite earth station gateway located in India or as part of telecommunication network optimisation;

(c) ensure that the telecommunication traffic shall not be mirrored to any satellite network or telecommunication network located outside India through inter-satellite communication links or through any other means;

(d) provide real-time traffic monitoring facility to ensure the compliance of clauses (a) to (c) above;

(e) ensure that no direct communication shall take place between two or more user terminals through one or more satellites, without routing the telecommunication traffic through satellite earth station gateway;

(f) provide any information of and conduct tests, for interference monitoring, and to take necessary steps, as directed by the Central Government, for its mitigation; and

(g) very small aperture terminal or any other fixed satellite service user terminal used for providing backhaul link to a base station or connectivity to an internet node or any other telecommunication equipment, shall be located in the service area of such new authorised entity having such base station or internet node or any other telecommunication equipment:

Provided that the corresponding satellite earth station gateway may be located anywhere in India and the connecting transmission link from such satellite earth station gateway to the core telecommunication network of that new authorised entity using such backhaul link or connectivity shall be established as per the applicable rules.

Explanation.—It is clarified that any transmission using the backhaul link or connectivity between the satellite earth station gateway and the corresponding core telecommunication network of the new authorised entity shall not be considered as inter service area traffic.

(2) Every new authorised entity may, subject to the prior permission of the Central Government in writing, for which an application may be submitted in such form and manner and subject to such terms and conditions as specified on the portal,—

(a) use its satellite earth station gateway established in India for providing telecommunication services to users located outside India, subject to—

(i) obtaining all clearances, by whatever name called, as may be required to provide such telecommunication services in the relevant jurisdiction where the user is located, and

(ii) compliance with such directions as issued by the Central Government in this behalf; or

(b) enter into arrangements with entities providing telecommunication services, in areas outside India, after obtaining all clearances, by whatever name called, as may be required to provide such telecommunication services in the relevant jurisdiction where the user is located, for enabling use of the new authorised entity's satellite earth station gateway established in India for uplink and downlink of signals to and from satellites, subject to compliance with such directions as issued by the Central Government in this behalf.

(3) The Central Government may, subject to its assessment of the application made under sub-rule (2), after making such inquiry as it deems fit, require the applicant to furnish such information as it may call for, and may grant such permission as requested by the new authorised entity under sub-rule (2), subject to such terms and conditions as it may specify while granting permission, including the following, namely:—

(a) messages between the satellite earth station gateway established in India and telecommunication network of foreign carriers shall be confined to only such satellite earth station gateway so as to enable transmission of such messages directly to the telecommunication network of foreign carriers, and shall not be transmitted into or received from a telecommunication network or user terminal located in India; and

(b) messages between the satellite earth station gateway established in India and telecommunication network of foreign carriers shall be routed through authorised international long distance gateway.

(4) Every new authorised entity shall indemnify the Central Government against any and all claims that may arise from the implementation of the arrangements covered under sub-rules (2) and (3).

61. **Rollout obligations.—**(1) Every new authorised entity having permission under rule 59 for provision of principal telecommunication service, may establish its own satellite earth station gateway or use the satellite earth station gateway established by other new authorised entities or licensees that are eligible for sharing or providing such satellite earth station gateways under the terms of their respective authorisation or license.

(2) Every new authorised entity having an assignment of the spectrum for satellite network under the applicable law, shall rollout the telecommunication network, using satellite earth station gateway referred to in sub-rule (1) and assigned spectrum within twelve months from the date of assignment of such spectrum, as required for providing principal telecommunication services to its users.

(3) Every new authorised entity shall register with the Central Government on the portal, in accordance with the orders, directions or guidelines issued by the Central Government, for verification of the compliance of rollout obligations specified in sub-rule (2), as per the norms as may be specified on the portal.

(4) On successful verification in sub-rule (3), the date of registration with the Central Government shall be treated as the date of compliance of the rollout obligations.

(5) In case of failure of verification in sub-rule (3), such new authorised entity shall re-register, after necessary corrections, and in such cases, the date of re-registration with the Central Government, on successful verification, shall be treated as the date of compliance of the rollout obligation.

(6) Any failure to adhere to the rollout obligations as specified in sub-rule (2) shall be treated as breach of terms and conditions of the authorisation and shall be dealt as per the provisions of Chapter VIII of the Act:

Provided that if the rollout obligations are complied with within thirty days of the expiry of the due date for complying with such obligations, the Central Government may consider the same as timely fulfilment of rollout obligations.

(7) In case of failure to adhere to the rollout obligations, in addition to imposition of civil penalty as per the provisions of Chapter VIII of the Act, the spectrum assignment for satellite network shall be subject to the relevant provisions of the Act and the terms and conditions of spectrum assignment.

62. Security conditions.—(1) Every new authorised entity having permission in rule 59 shall, prior to provision of principal telecommunication services to users using satellite network, successfully demonstrate the lawful interception systems and lawful interception monitoring facilities as required under rule 34, and any other additional functional requirement that the Central Government may specify.

(2) The operation, maintenance and control facility for the satellite earth station gateway and user terminals connected with the satellite network of a new authorised entity shall be located in India.

(3) Every new authorised entity shall ensure that the permitted satellite network be used only for providing principal telecommunication services for which it is authorised and such satellite network is not used for any unauthorised activities including surveillance and electronic warfare, or in a manner that may prejudice the sovereignty and security of India.

(4) Every new authorised entity shall ensure that in addition to the telecommunication identifier based interception and monitoring, geographic location-based interception and monitoring is also possible.

(5) Every new authorised entity shall ensure that a user registered outside India and using a user terminal compatible with the permitted satellite or space segment, shall register such user terminal with such new authorised entity before operating the same in India.

(6) Every new authorised entity shall ensure that any access to its principal telecommunication services to a user shall be provided only after registering the user terminal provided to such user, on equipment identity register of such new authorised entity:

Provided that a user who has procured a user terminal from outside the territory of India, may be registered with such new authorised entity, subject to verification of the customs clearance obtained by such user in respect of such user terminal:

Provided further that such customs clearance shall not be required in respect of a user terminal that operates in the exclusive economic zone of India.

(7) Every new authorised entity shall report to the Central Government on the portal, any attempt to access or use the satellite network by a user terminal not registered under sub-rule (6), accompanied by the information about such user terminal and its location.

(8) Every new authorised entity shall undertake such technical measures as may be required to ensure due compliance with sub-rule (7).

(9) The Central Government may notify suitable mechanism for online co-ordination on a regular basis between the air, land and sea customs authorities and the new authorised entity for exchange of information in respect of user terminals of satellite network legally brought into the territory of India which would facilitate such new authorised entity in identification and segregation of user terminals of satellite network clandestinely brought into India, to prevent their access to the satellite network.

(10) Every new authorised entity shall monitor the operations of user terminals of satellite network within India, as per the directions of the Central Government, the authorised agency or the designated agency, and on receiving directions from the Central Government, shall provide details relating to the identity and location of such user terminals.

(11) Every new authorised entity shall—

(a) ensure that no location spoofing tool, whether hardware or software, be incorporated with the user terminals to hide the actual location of the user terminals; and

(b) deploy appropriate technical measures, including automated tools or other suitable mechanisms for identification and reporting of any such device in its telecommunication network.

(12) Every new authorised entity shall bind stationary type fixed satellite service user terminals to the geo-location of the premises of the user, with +/- 100 meters accuracy, including in respect of any relocation.

(13) Every new authorised entity shall ensure that no user relocates the stationary type fixed satellite service user terminal except with the prior approval in writing from such new authorised entity.

(14) Every new authorised entity shall discontinue the provision of principal telecommunication services to a user who attempts to, or relocates its stationary type fixed satellite service user terminal, without its prior approval in writing.

(15) Every new authorised entity shall ensure that the principal telecommunication services to any user terminal, in idle mode or in use, are discontinued when such user terminal enters into the restricted areas referred to in sub-rule (2) of rule 35.

(16) Every new authorised entity shall ensure compliance with the directions and timelines issued by the Central Government in respect of provision of positioning services through Indian regional navigation satellite systems in its user terminals.

CHAPTER VIII

SPECIFIC CONDITIONS FOR TYPES OF PRINCIPAL TELECOMMUNICATION SERVICES

63. Applicability of Chapter VIII.—(1) In addition to the rules mentioned in Chapter I to Chapter VII, the rules mentioned in different Parts of this Chapter shall also apply to a new authorised entity providing specific principal telecommunication services specified in the scope of the relevant Part of this Chapter.

(2) In the event of any conflict between the rules mentioned in Chapter I to Chapter VII and Chapter VIII, the rules mentioned in Chapter VIII shall prevail to the extent of such conflict.

PART A
UNIFIED SERVICE AUTHORISATION

64. Applicability of Part A.—This Part shall apply to a new authorised entity that holds a unified service authorisation, and save as otherwise expressly provided in this Part, any reference to expressions—

(a) "new authorised entity" means such new authorised entity that holds unified service authorisation;

(b) "network service operator" means such network service operator that holds unified service authorisation; and

(c) "virtual network operator" means such virtual network operator that holds unified service authorisation.

65. Scope of unified service authorisation.—(1) The unified service authorisation to a network service operator consists of authorisation for the following principal telecommunication services, namely:—

(a) principal telecommunication services authorised under access service authorisation to a network service operator;

(b) principal telecommunication services authorised under internet service authorisation to a network service operator; and

(c) principal telecommunication services authorised under long distance service authorisation to a network service operator.

(2) The unified service authorisation to a virtual network operator consists of authorisation for the following principal telecommunication services, namely:—

(a) principal telecommunication services authorised under access service authorisation to a virtual network operator;

(b) principal telecommunication services authorised under internet service authorisation to a virtual network operator; and

(c) principal telecommunication services authorised under long distance service authorisation to a virtual network operator.

(3) Every new authorised entity that holds a unified service authorisation may provide the principal telecommunication services specified under sub-rules (1) or (2), as the case may be, only through wireline or wireless terrestrial networks, satellite networks or submarine networks.

(4) The specific terms and conditions specified under these rules for access service authorisation, internet service authorisation and long distance service authorisation, shall be applicable for providing the respective principal telecommunication services under the unified service authorisation, unless specified otherwise in this Part.

(5) Every new authorised entity shall provide only such principal telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which requires a separate authorisation from the Central Government.

66. Financial conditions.—Notwithstanding anything contained in sub-rule (3) of rule 26, every new authorised entity shall draw, maintain and furnish separate accounts in respect of principal telecommunication services authorised under—

(a) access service authorisation for each telecom circle or metro service area within the national service area;

(b) internet service authorisation; and

(c) long distance service authorisation.

67. Technical and operating conditions.—(1) Every new authorised entity shall ensure that the connectivity to disaster management platform and public safety answering point is made available at the State or Union territory level.

(2) Every network service operator may interconnect its telecommunication network with the telecommunication network of a network service operator licensee or any other network service operator that holds any authorisation under these rules, for handing or taking over the telecommunication traffic at any mutually agreed location, failing which, the interconnection shall take place at the point of interconnection.

(3) Every virtual network operator shall, in addition to sub-rule (1), also adhere to the following conditions, namely:—

(a) it shall enter into contract as specified in sub-rule (2) of rule 9, to connect its telecommunication network to its parent network service operator's telecommunication network and shall provide the details of such contract or any modifications thereof to the Central Government within seven days on the portal; and

(b) it shall only connect or peer its telecommunication network with the telecommunication networks of parent network service operator, and any interconnection with other authorised telecommunication networks shall be undertaken only by its parent network service operator.

PART B
ACCESS SERVICE AUTHORISATION AND WIRELINE ACCESS SERVICE AUTHORISATION

68. Applicability of Part B.—This Part shall apply to every new authorised entity that holds an access service authorisation or wireline access service authorisation, and save as otherwise expressly provided in this Part, any reference to expressions—

(a) "new authorised entity" means such new authorised entity that holds access service authorisation or wireline access service authorisation;

(b) "network service operator" means such network service operator that holds access service authorisation; and

(c) "virtual network operator" means such virtual network operator that holds access service authorisation or wireline access service authorisation.

69. Scope of access service authorisation.—(1) The access service authorisation to a network service operator consists of authorisation for the following principal telecommunication services, namely:—

(a) transmission, emission or reception of voice and non-voice messages, including video messages;

(b) principal telecommunication services authorised under internet service authorisation to a network service operator;

(c) internet telephony service;

(d) intra-circle long distance calls;

(e) captive non-public network as a telecommunication service;

(f) cell broadcast service;

(g) direct air-to-ground communication service;

(h) machine-to-machine service;

(i) enterprise communication services; and

(j) if the network service operator has access service authorisation for all twenty-two service areas, it may also provide in-flight and maritime connectivity service.

(2) The access service authorisation to a virtual network operator consists of authorisation for the following principal telecommunication services, namely:—

(a) transmission, emission or reception of voice and non-voice messages, including video messages;

(b) principal telecommunication services authorised under internet service authorisation to a virtual network operator;

(c) internet telephony service;

(d) intra-circle long distance calls;

(e) cell broadcast service;

(f) direct air-to-ground communication service;

(g) machine-to-machine service;

(h) enterprise communication services; and

(i) if the virtual network operator has access service authorisation for all twenty-two service areas, it may also provide in-flight and maritime connectivity service.

(3) Every new authorised entity may provide principal telecommunication services specified under sub-rules (1) or (2), as the case may be, to users only through,—

(a) mobile user terminals; or

(b) fixed user terminal with wireline access; or

(c) fixed user terminal with wireless access; or

(d) very small aperture terminal or earth station in motion terminal for fixed satellite service; or

(e) user terminal to access mobile satellite service; or

(f) machines including internet of things devices and sensor type user terminals; or

(g) routers or switches; or

(h) any other type of user terminal as may be specified on the portal.

(4) Every new authorised entity that holds an access service authorisation may provide the principal telecommunication services specified in sub-rules (1) or (2), as the case may be, through wireline or wireless terrestrial networks, satellite networks or submarine networks.

(5) Every new authorised entity shall provide only such principal telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which requires a separate authorisation from the Central Government.

(6) The specific terms and conditions specified under these rules for internet service authorisation except for limited internet telephony shall be applicable for providing the same under the access service authorisation, unless specified otherwise in this Part.

(7) The terms and conditions specified under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026, as applicable for enterprise communication services, machine-to-machine services and in-flight maritime connectivity services shall be applicable for providing such services under the access service authorisation, unless specified otherwise in this Part.

70. Scope of wireline access service authorisation.—(1) The wireline access service authorisation to a virtual network operator consists of authorisation for the following principal telecommunication services, namely:—

(a) transmission, emission or reception of voice and non-voice messages, including video messages;

(b) principal telecommunication services authorised under internet service authorisation to a virtual network operator;

(c) internet telephony service;

(d) intra-circle long distance calls;

(e) machine-to-machine service; and

(f) enterprise communication services authorised under enterprise communication service authorisation.

(2) Every virtual network operator that holds a wireline access service authorisation shall provide principal telecommunication services referred to in sub-rule (1) to users only through—

(a) wireline terrestrial network; and

(b) fixed user terminals with wireline access or machines including internet of things devices and sensor type user terminals or routers or switches or any other type of user terminal as may be specified on the portal.

(3) Every virtual network operator that holds a wireline access service authorisation shall provide only such principal telecommunication services which are authorised under the scope of its authorisation, and not any other principal telecommunication service which requires a separate authorisation from the Central Government.

(4) The specific terms and conditions specified under these rules for internet service authorisation except for limited internet telephony shall be applicable for providing the same under the wireline access service authorisation, unless specified otherwise in this Part.

(5) The terms and conditions specified under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026, as applicable for enterprise communication services and machine-to-machine services shall be applicable for providing such services under the wireline access service authorisation, unless specified otherwise in this Part.

71. Technical and operating conditions.—(1) The following technical and operating conditions apply to every new authorised entity, namely:—

(a) if it holds access service authorisation, it shall, prior to commencement of provision of principal telecommunication services to users over mobile user terminals, establish mobile number portability functionality and test such functionality as per the test schedule and test procedure as may be specified on the portal;

(b) it shall ensure that inter service area traffic from one service area to another service area shall be routed through the national long distance network;

(c) it shall ensure that international long distance traffic shall be routed through the national long distance network to the international long distance gateway for onward transmission to telecommunication networks of foreign carriers;

(d) it shall assign telecommunication identifiers to its users in accordance with the national numbering plan as may be specified on the portal;

(e) if it has more than one access service authorisation or wireline access service authorisation in different service areas, it may deploy any of its telecommunication equipment anywhere within the service area of its authorisation:

Provided that such deployment of telecommunication equipment shall be subject to the security conditions as specified in these rules, and in compliance with applicable law in case of telecommunication equipment for point of interconnection;

(f) if it simultaneously holds, an authorisation under this Part and internet service authorisation under Part C, in a common geographical area, it shall, prior to commencement of principal telecommunication service, declare to the Central Government the authorisation under which such services shall be provided by it.

Illustration: If A, a new authorised entity having internet service authorisation in national service area, obtains any authorisation under this Part in Haryana and Gujarat service areas, then A shall declare to the Central Government, prior to the commencement of principal telecommunication service in Haryana and Gujarat service areas, whether A will provide internet services under internet service authorisation or under any authorisation in this Part;

(g) if it simultaneously holds, an authorisation under this Part and long distance service authorisation under Part D, in a common geographical area, and intends to provide domestic leased circuit, it shall, prior to commencement of principal telecommunication service, declare to the Central Government the authorisations under which such services shall be provided by it.

Illustration: If A, a new authorised entity having authorisation to provide long distance services in national service area, obtains any authorisation under this Part in Haryana and Gujarat service areas, and intends to provide domestic leased circuit, then A shall declare to the Central Government, prior to the commencement of such principal telecommunication service in Haryana and Gujarat service areas, whether A will provide domestic leased circuit services under long distance service authorisation or under any authorisation in this Part;

(h) it shall,—

(i) independently or by entering into contract with other new authorised entities or licensees having authorisation or license to provide access services, provide all public utility services as well as emergency services, including toll-free services such as public safety answering point, police, fire, ambulance and any other toll-free services as may be specified by the Central Government through orders, directions or guidelines; and

(ii) while providing the services referred to in sub-clause (i) take all measures to ensure that messages are delivered to the designated control room of the concerned authority, as may be specified on the portal; and

(i) it shall, for the purpose of carriage of bearer telecommunication traffic, provide interconnection to the new authorised entity or licensee that holds an authorisation or license to provide national long distance services.

(2) For provision of machine-to-machine service under this authorisation, in addition to the terms and conditions specified in sub-rule (1), the following technical and operating conditions apply to every new authorised entity, namely:—

(a) if it is providing machine-to-machine services,—

(i) it may establish, operate, maintain or expand wireless personal area network or wireless local area network for machine-to-machine service using spectrum exempted from the requirement of assignment under the applicable law; and

(ii) it shall adhere to such directions or guidelines issued by the Central Government in respect of roaming of foreign machine-to-machine subscriber identity module in India;

(b) if it is providing machine-to-machine services or machine-to-machine subscriber identity modules to another new authorised entity or licensee that holds an authorisation or license to provide machine-to-machine service, ensure that such services or use of such subscriber identity modules shall be confined only to the specific use cases as has been intimated by such new authorised entity or licensee to the Central Government under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026 or license; and

(c) if it owns and manages a platform for subscription profile management of machine-to-machine subscriber identity module, in respect of subscription profile management of machine-to-machine subscriber identity module, it shall adhere to the standards and conformity assessment measures, including the standards for security of subscription manager-data preparation and subscription manager-secure routing, as may be notified by the Central Government under section 19 of the Act.

(3) For provision of internet telephony service under this authorisation, the following technical and operating conditions apply to every new authorised entity, namely:—

(a) internet telephony services may be provided to users having fixed or mobile user terminals;

(b) telecommunication identifiers shall be assigned by the new authorised entity to a user only from among such telecommunication identifiers that have been allotted to it pursuant to the national numbering plan and subject to the terms and conditions for such allotment;

(c) every new authorised entity may assign the same telecommunication identifier for mobile service and mobile internet telephony service to a user;

(d) every new authorised entity may assign the same telecommunication identifier for fixed service and fixed internet telephony service to a user;

(e) Internet Protocol address assigned to a user for internet telephony shall conform to the Internet Protocol addressing scheme of Internet Assigned Numbers Authority and the details of such Internet Protocol addresses shall be submitted to the Central Government on the portal;

(f) internet telephony calls originated by international out-roamers from international locations shall be handed over at the international long distance gateway of new authorised entity or licensee having authorisation or license to provide international long distance services and international termination charges shall be paid to the terminating entity having authorisation or license to provide access services:

Provided that if the new authorised entity is not able to ensure that the internet telephony call originated outside India is routed through such international long distance gateway, it shall cease provision of international out-roaming facility to its internet telephony users;

(g) the public Internet Protocol address used for originating or terminating internet telephony calls shall be part of call data record and in case of internet telephony, the location details of user with such level of accuracy as the Central Government may specify shall be provided to the Central Government, if so required by it;

(h) calling line identification restriction facility shall not be provided for internet telephony users;

(i) the new authorised entity providing internet telephony service may facilitate access to emergency number calls as specified in the national numbering plan, using location services:

Provided that such new authorised entity shall inform internet telephony users about the limitation of providing access to emergency services in unambiguous terms;

(j) the new authorised entity shall inform its users of quality of service parameter supported by it in respect of internet telephony.

(4) In addition to the technical and operating conditions under sub-rules (1), (2) and (3), the following technical and operating conditions apply to a network service operator, namely:—

(a) it shall interconnect and provide interconnection to the telecommunication network of all eligible new authorised entities or licensees which hold any authorisation or license, to ensure that the calls are completed to all destinations;

(b) it shall not refuse to interconnect its telecommunication network directly with the international long distance gateway, in situations where its point of presence and the point of presence of a new authorised entity or licensee having authorisation or license to provide international long distance services are located at the same station;

(c) it may enter into mutual agreement for roaming facilities with other network service operators or network service operator licensees providing access services;

(d) it may enter into mutual agreement with a telecommunication service provider outside India to provide international roaming facility to its users, unless otherwise directed by the Central Government;

(e) it may provide captive non-public network as a telecommunication service to a user by using its telecommunication network including through telecommunication network slicing;

(f) if it has access spectrum assigned to it, it may establish isolated captive non-public network for users, using such spectrum:

Provided that while establishing such isolated captive non-public networks and providing captive non-public network as a telecommunication service through public telecommunication network under clause (e), it shall ensure that the applicable standards of quality of service are maintained;

(g) if it decides to surrender the spectrum, which is being used by its users for captive non-public networks, it shall give notice of such surrender, at least six months before the effective date of surrender of such spectrum, to such users of captive non-public networks;

(h) it may carry intra service area traffic on its home network or it may enter into mutual agreements with the entities having authorisation or license to provide access services or national long distance services, for carrying its intra service area traffic in respect of long distance services; and

(i) for provision of internet telephony service, it may interconnect its internet telephony network with public switched telephone network or public land mobile network.

(5) In addition to the technical and operating conditions under sub-rules (1), (2) and (3), following technical and operating conditions apply to a virtual network operator that holds access service authorisation, namely:—

(a) it shall enter into contract as specified in sub-rule (2) of rule 9 to connect its telecommunication network to its parent network service operator's telecommunication network and shall provide the details of such contract or any modifications thereof to the Central Government within seven days on the portal;

(b) it shall only connect its telecommunication network with the telecommunication network of parent network service operator, and any interconnection with other authorised telecommunication networks shall be undertaken only by its parent network service operator;

(c) it shall not integrate the telecommunication networks obtained from different parent network service operators for routing of traffic from one parent network service operator to another parent network service operator;

(d) it shall obtain from its parent network service operator a range of telecommunication identifiers from the telecommunication identifiers allocated to its parent network service operator by the Central Government; and

(e) it may establish its radio access network as per the mutual agreement with its parent network service operator, utilising backhaul spectrum and access spectrum assigned to its parent network service operator.

(6) In addition to the technical and operating conditions under sub-rules (1), (2) and (3), following technical and operating conditions apply to a virtual network operator that holds wireline access service authorisation, namely:—

(a) it shall enter into contract as specified in sub-rule (2) of rule 9 to connect its telecommunication network to its parent network service operator's telecommunication network and shall provide the details of such contract or any modifications thereof to the Central Government, within seven days, as may be specified on the portal;

(b) it shall only connect its telecommunication network with the telecommunication network of parent network service operator, and any interconnection with other authorised telecommunication networks shall be undertaken only by its parent network service operator;

(c) it shall not integrate the telecommunication networks obtained from different parent network service operators for routing of traffic from one parent network service operator to another parent network service operator; and

(d) it shall obtain from its parent network service operator a range of telecommunication identifiers from the telecommunication identifiers allocated to its parent network service operator by the Central Government.

72. Security conditions.—(1) Every new authorised entity shall, for intercepted messages, supply call related information, in accordance with the orders, directions or guidelines issued by the Central Government, which shall include the following, namely:—

(a) called and calling party telecommunication identifiers, including when user is roaming;

(b) time, date and duration of call;

(c) location of target user, providing the details specified in sub-rule (2);

(d) co-ordinates and name of base station site;

(e) telecommunication identifiers, if any call-forwarding feature has been invoked by target user;

(f) data records for failed call attempts; and

(g) call data records of roaming users.

(2) Every new authorised entity shall provide location details of mobile users with such details, and with such level of accuracy as the Central Government may specify.

(3) Every new authorised entity shall maintain local international out roamer repository which shall be updated on real time basis with telecommunication identifiers of its users, who are on international roaming.

(4) Every new authorised entity shall update the central international out roamer system on real time basis.

(5) Every new authorised entity shall not provide calling line identification restriction facility to users except in accordance with the standard operating procedure issued by the Central Government in this regard.

(6) Every new authorised entity shall list its users having calling line identification restriction facility accompanied by their complete address and details, on a password protected website, and shall enable access to such website, as may be required, to the Central Government or the designated agency.

(7) While providing calling line identification restriction facility to users, every new authorised entity shall ensure that the calling line identification is carried end-to-end throughout the telecommunication network:

Provided that calling line identification restriction facility shall not be provided in case of business connections.

(8) Every new authorised entity shall ensure that the subscriber identity module personalisation is carried out, in accordance with such notifications, orders, directions or guidelines issued by the Central Government for this purpose or standards and conformity assessment measures, including those notified under section 19 of the Act.

PART C
INTERNET SERVICE AUTHORISATION

73. Applicability of Part C.—This Part shall apply to a new authorised entity that holds a internet service authorisation, and save as otherwise expressly provided in Part, any reference to expressions—

(a) "new authorised entity" means such new authorised entity that holds internet service authorisation;

(b) "network service operator" means such network service operator that holds internet service authorisation; and

(c) "virtual network operator" means such virtual network operator that holds internet service authorisation.

74. Scope of internet service authorisation.—(1) The internet service authorisation to a network service operator consists of authorisation for the following principal telecommunication services, namely:—

(a) internet service;

(b) internet telephony service limited to computers or Internet Protocol based customer premises equipment connecting only the following, namely:—

(i) computer to computer, within or outside India;

(ii) computer, device or adapter, conforming to notified standards, in India to public switched telephone network or public land mobile network user terminals outside India; and

(iii) any computer, device or adapter, conforming to notified standards, connected in India with internet node using static internet protocol address to similar computer, device or adapter, within or outside India;

(c) domestic leased circuit;

(d) internet leased line;

(e) internet protocol television service, in accordance with applicable law;

(f) machine-to-machine service limited to internet services; and

(g) if the network service operator has internet service authorisation for national service area, it may also provide in-flight and maritime connectivity services limited to internet services.

(2) The internet service authorisation to a virtual network operator consists of authorisation for the following principal telecommunication services, namely:—

(a) internet services;

(b) internet telephony service limited to computers or Internet Protocol based customer premises equipment connecting only the following, namely:—

(i) computer to computer, within or outside India;

(ii) computer, device or adapter, conforming to notified standards, in India to public switched telephone network or public land mobile network user terminals outside India; and

(iii) any computer, device or adapter, conforming to notified standards, connected in India with internet node using static internet protocol address to similar computers, device or adapter, within or outside India;

(c) domestic leased circuit;

(d) internet leased line;

(e) internet protocol television service, in accordance with applicable law;

(f) machine-to-machine service limited to internet services; and

(g) if the virtual network operator has internet service authorisation for national service area, it may also provide in-flight and maritime connectivity services limited to internet services.

Explanation.—The expression "computer" means any electronic, magnetic, optical or other high-speed data processing device or system which performs logical, arithmetic, and memory functions by manipulations of electronic, magnetic or optical impulses, and includes all input, output, processing, storage and software.

(3) Every new authorised entity may provide the principal telecommunication services specified under sub-rules (1) or (2), as the case may be, to fixed users only through—

(a) fixed user terminal with wireline access; or

(b) fixed user terminal with wireless access; or

(c) fixed machines including fixed internet of things devices and fixed sensor type terminals; or

(d) routers or switches; or

(e) any other type of terminal as may be specified on the portal.

(4) Every new authorised entity may also provide the principal telecommunication services specified under sub-rules (1) or (2), as the case may be, to users through user terminals to avail of fixed satellite service as per the standards notified under section 19 of the Act.

(5) Every new authorised entity may provide the principal telecommunication services specified under sub-rules (1) or (2), as the case may be, through wireline or wireless terrestrial networks, satellite networks or submarine networks.

(6) Every new authorised entity providing internet services may establish, operate, maintain or expand the international internet gateway, after obtaining requisite security clearance and prior written permission from the Central Government in accordance with the orders, directions or guidelines issued by the Central Government.

(7) Every new authorised entity may establish, operate, maintain or expand low power wide area network using spectrum exempted from the requirement of assignment under the applicable law, for providing machine-to-machine service using wireless terrestrial networks.

Explanation.—For the purpose of this sub-rule, "low power wide area network" means a type of wide area network which provides wireless connectivity to low-power devices over large distances that is suited for machine-to-machine communication.

(8) Every new authorised entity shall provide only such principal telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which requires a separate authorisation from the Central Government.

(9) The following provisions shall apply to every new authorised entity which has obtained authorisation as a network service operator:

(a) a network service operator may provide:

(i) domestic leased circuit to any other new authorised entity or licensee that holds any authorisation or license, for connecting their telecommunication network equipment, including backhaul connectivity; and

(ii) internet bandwidth to another new authorised entity or licensee that holds an authorisation or license to provide internet services;

(b) a network service operator may establish, operate, maintain or expand the internet exchange point as per the terms and conditions applicable for such internet exchange point authorisation specified under applicable law, unless specified otherwise in these rules; and

(c) a network service operator, who has established international internet gateway, may provide international internet bandwidth to other network service operator or network service operator licensee that holds authorisation or license to provide internet services.

(10) The terms and conditions specified under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026, as applicable for in-flight and maritime connectivity services and machine-to-machine services shall be applicable for providing such services under the internet service authorisation, unless specified otherwise in these rules.

75. Technical and operating conditions.—(1) The following technical and operating conditions apply to every new authorised entity, namely:—

(a) it shall, for providing internet protocol television services, adhere to the applicable law and such directions or guidelines issued by the Central Government in this behalf;

(b) it shall not—

(i) connect a user of its internet telephony service to or from a user of public switched telephone network or public land mobile network in India;

(ii) use E.164 numbering plan of the International Telecommunications Union for internet telephony; and

(iii) undertake translation of E.164 number or private number to Internet Protocol address allotted to any telecommunication equipment or vice-versa;

(c) it shall ensure that the addressing scheme for internet telephony is in compliance with the Internet Protocol addressing Scheme of Internet Assigned Numbers Authority;

(d) it shall obtain Internet Protocol addresses for the provision of internet services, from authorised internet registries directly and the details of such Internet Protocol addresses shall be submitted to the Central Government on the portal;

(e) if it provides internet services using spectrum which has been exempted from the requirements of assignment under the Act, the new authorised entity shall adhere to orders or directions or guidelines in respect of such spectrum as may be specified on the portal;

(f) it shall provide unrestricted access to all the content available on the internet to its users except for such content which is restricted by the Central Government;

(g) if it has separate internet service authorisation and long distance service authorisation in a common geographical area, and intends to provide domestic leased circuit, it shall declare to the Central Government, prior to commencement of such principal telecommunication service, the authorisation under which such service shall be provided by it.

Illustration: If A, a new authorised entity having authorisation to provide long distance services in national service area, obtains internet service authorisation in Haryana and Gujarat service areas, and intends to provide domestic leased circuit, then A shall declare to the Central Government, prior to the commencement of such principal telecommunication service in Haryana and Gujarat service areas, whether A will provide domestic leased circuit services under long distance service authorisation or internet service authorisation;

(h) it may establish, operate, maintain or expand wireless personal area network or wireless local area network for machine-to-machine service using spectrum exempted from the requirement of assignment under the applicable law;

(i) it shall, while providing machine-to-machine service using wireless personal area network or wireless local area network, connect such network with the telecommunication network of a new authorised entity or licensee that holds any authorisation or license, for backhaul connectivity;

(j) it shall not—

(i) engage in any discriminatory treatment of content, including based on the sender, receiver, protocols being used or user terminal; and

(ii) enter into any arrangement, agreement or contract, by whatever name called, with any person that has the effect of discriminatory treatment of content;

(k) notwithstanding clause (j), the new authorised entity may—

(i) provide specialised services subject to the following conditions, namely:—

(a) the specialised services are not usable or not offered as a replacement for internet services; and

(b) the provision of such specialised services is not detrimental to the availability and overall quality of internet services;

(ii) adopt any proportionate, transient and transparent measures falling under any of the following categories, namely:—

(a) reasonable traffic management practices as may be specified on the portal;

(b) provision of emergency services or any other services as may be required during any public emergency, as per such processes as may be specified on the portal;

(c) implementation of any order of a court or direction that is issued by the Central Government;

(d) measures for preserving the integrity and security of the telecommunication network and telecommunication equipment; and

(e) appropriate measures in pursuance of an international treaty, as may be specified on the portal.

Explanation.—For the purpose of clauses (j) and (k),—

1. "content" includes all content, applications, services and any other data, including its end-point information, which may be accessed or transmitted over the internet.

2. "discriminatory treatment" includes any form of discrimination, restriction or interference in the treatment of content, including practices such as blocking, degrading, slowing down or granting preferential speeds or treatment to any content.

3. "specialised services" means services other than internet services that are optimised for specific content, protocols or user terminal, where the optimisation is necessary in order to meet specific quality of service requirements; and

(l) if it is providing machine-to-machine services to any other new authorised entity or licensee that holds an authorisation or license to provide machine-to-machine service, ensure that such services shall be confined only to the specific use cases as has been informed by such new authorised entity or licensee to the Central Government under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026 or license.

(2) In addition to the technical and operating conditions under sub-rule (1), following technical and operating conditions apply to a network service operator, namely:—

(a) it may establish peering with the telecommunication network of a network service operator licensee or any other network service operator that holds any authorisation under these rules, to provide internet services, and the resources required for such peering shall be as mutually agreed between such entities; and

(b) it shall ensure that its telecommunication network established for provision of internet services is not connected with telecommunications networks, such as public switched telephone network or public land mobile network, established for provision of access services in India.

(3) In addition to the technical and operating conditions under sub-rule (1), following technical and operating conditions apply to a virtual network operator, namely:—

(a) it shall enter into contract as specified in sub-rule (2) of rule 9 to connect its telecommunication network to its parent network service operator's telecommunication network and shall provide the details of such contract or any modifications thereof to the Central Government, within seven days, as may be specified on the portal;

(b) it shall only connect its telecommunication network with the telecommunication network of parent network service operator, and any interconnection with other authorised telecommunication networks shall be undertaken only by its parent network service operator;

(c) it may obtain Internet Protocol addresses from its parent network service operator or authorised internet registries, and get it configured in the telecommunication network of its parent network service operators, and details of such Internet Protocol addresses shall be submitted to the Central Government on the portal;

(d) it may provide domestic leased circuit to its users by—

(i) connecting its telecommunication equipment to the telecommunication network of its parent network service operator; or

(ii) using the telecommunication network of its parent network service operator.

76. Security conditions.—(1) Every new authorised entity shall adhere to the following security conditions, namely:—

(a) it shall ensure that the users of internet leased line maintain the usage details of Internet Protocol addresses and network address translation syslog, in case of multiple users using the same internet leased line, for a minimum period of two years;

(b) it shall ensure compliance with clause (a) by verifying the systems in place at the time of provision of internet leased line and subsequently by requiring the users of internet leased line to submit periodic reports or take any such other measure as necessary for compliance with clause (a), and in case of non-compliance with such requirements, such new authorised entity shall withdraw the internet leased line from such users;

(c) it shall, at its own cost, provide space of such area as directed by the Central Government, at each location where it has established its lawful interception monitoring facility with adequate and uninterrupted power supply and air-conditioning, which is physically secured and accessible only to the authorised agencies; and

(d) it shall block such internet sites, uniform resource locators, uniform resource identifiers or individual users, as identified and directed by the Central Government in the interest of national security or public interest.

(2) Every network service operator shall, in addition to the sub-rule (1), also adhere to the following security conditions, namely:—

(a) it shall ensure that another new authorised entity or licensee requesting upstream internet bandwidth to serve its own downstream users has a valid authorisation or license for providing internet services and if such authorisation or license is revoked, surrendered or expired, such network service operator shall withdraw such bandwidth;

(b) it shall, in accordance with directions issued by the Central Government segregate and route traffic of internet nodes, established at such locations which are important from national security perspective; and

(c) it shall ensure that domain name system used for address resolution is hosted, owned, controlled and operated within India with adequate redundancy and security measures to ensure uninterrupted domain name system resolution services.

PART D
LONG DISTANCE SERVICE AUTHORISATION

77. Applicability of Part D.— This Part shall apply to a new authorised entity that holds a long distance service authorisation, and save as otherwise expressly provided in this Part, any reference to expressions—

(a) "new authorised entity" means such new authorised entity that holds long distance service authorisation;

(b) "network service operator" means such network service operator that holds long distance service authorisation; and

(c) "virtual network operator" means such virtual network operator that holds long distance service authorisation.

78. Scope of long distance service authorisation.—(1) The long distance service authorisation to a network service operator consists of authorisation for the following principal telecommunication services, namely:—

(a) national long distance services comprising the following, namely:—

(i) carriage of bearer telecommunication traffic within India;

(ii) carriage of intra-circle and inter-circle long distance calls within India;

(iii) domestic leased circuit; and

(iv) domestic calling card;

(b) international long distance services, by interconnecting with the telecommunication network of foreign carriers, comprising the following, namely:—

(i) carriage of bearer telecommunication traffic outside India;

(ii) carriage of international long-distance calls to or from foreign carriers;

(iii) international private leased circuit; and

(iv) international calling card.

(2) The long distance service authorisation to virtual network operator consists of authorisation for the following principal telecommunication services, namely:—

(a) national long distance services comprising the following, namely:—

(i) carriage of bearer telecommunication traffic within India;

(ii) carriage of intra-circle and inter-circle long distance calls within India;

(iii) domestic leased circuit; and

(iv) domestic calling card;

(b) international long distance services, by connecting with the telecommunication network of its parent network service operator, comprising the following, namely:—

(i) carriage of bearer telecommunication traffic outside India;

(ii) carriage of international long-distance calls to or from foreign carriers;

(iii) international private leased circuit; and

(iv) international calling card.

(3) Every new authorised entity may provide the principal telecommunication services specified under sub-rules (1) and (2), as the case may be, only through wireline or wireless terrestrial networks, satellite networks or submarine networks.

(4) Every new authorised entity may access the users directly for provision of domestic leased circuit, domestic calling cards, international private leased circuit or international calling card.

(5) Every new authorised entity shall provide only such principal telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which requires a separate authorisation from the Central Government.

(6) The following provisions shall apply to every new authorised entity that has obtained an authorisation as a network service operator—

(a) such entity may provide domestic leased circuit and international bandwidth on lease to any other new authorised entity or licensee that holds any authorisation or license under which it is permitted to have such connectivity;

(b) such entity may establish, operate, maintain or expand the cable landing station or cable landing station point-of-presence for the following, after obtaining requisite security clearance and prior written permission from the Central Government, pursuant to an application made in such form and manner as specified on the portal, namely:—

(i) domestic and international submarine cable systems, to provide principal telecommunication services; and

(ii) international terrestrial cable systems, to provide international long distance services;

(c) such entity providing international long distance services may establish, operate, maintain or expand the international long distance gateway, after obtaining requisite security clearance and prior written permission from the Central Government in accordance with the orders, directions or guidelines issued by the Central Government.

79. Technical and operating conditions.—(1) Every new authorised entity shall adhere to the following technical and operating conditions, namely:—

(a) it shall prior to the commencement of provision of principal telecommunication services, establish mobile number portability functionality and test such functionality as per the test schedule and test procedure as may be specified on the portal; and

(b) it shall ensure the carriage of all types of bearer telecommunication traffic so that end-to-end principal telecommunication services may be provided to the users by the new authorised entities or licensees having authorisation or license to provide access services.

(2) The following shall apply in respect of cable landing station, namely:—

(a) the new authorised entity shall apply, in such form and manner as specified on the portal, and seek separate permissions and clearances for establishment of cable landing station and laying submarine cables in India:

Provided that the new authorised entity applying for permission to establish cable landing station point-of-presence, shall not be required to obtain a permission and clearance for laying submarine cables in India:

Provided further that the permission for international cable landing station and cable landing station – point-of-presence shall be given to only such new authorised entity who has been permitted to establish international long distance gateway:

Provided also that the permission for domestic cable landing station shall be given to the new authorised entity which is providing any of the long distance services;

(b) the Central Government may, subject to its assessment of the application made under clause (a), and security vetting, if required, grant permission, subject to such terms and conditions as may be specified on the portal, including the following, namely:—

(i) the new authorised entity owning cable landing station may establish submarine line terminating equipment at such cable landing station or extend its dark fibre pairs, whether owned or leased, in the submarine cable from the main cable landing station to its cable landing station point-of-presence and establish submarine line terminating equipment at cable landing station point-of-presence:

Provided that the new authorised entity having fibre pairs in the submarine cable but not owning the cable landing station may extend its dark fibre pairs, whether owned or leased, in the submarine cable from the cable landing station to its cable landing station point-of-presence and establish submarine line terminating equipment at cable landing station point-of-presence;

(ii) domestic submarine cables shall connect two or more cities on the Indian coastline for carrying domestic traffic, and the domestic submarine cable may go beyond Indian territorial waters or exclusive economic zone of India, wherever required for physical safety of such cables, subject to prior permission from the Central Government;

(iii) international submarine cables may carry domestic traffic on dedicated fibre pairs that are provisioned between two Indian cities:

Provided that such domestic traffic is not transited or routed through any other country outside India;

(iv) if the domestic and international cables are separate, they may terminate at the same cable landing station, with each cable having its own separate power feeding equipment and submarine line terminating equipment;

(v) the new authorised entity shall ensure that a physical separation of terminating equipment for domestic and international traffic is maintained;

(vi) transit international traffic, which is not meant to be terminated on telecommunication networks in India, shall be permitted to be transited to other submarine cables or international terrestrial cables through terrestrial and submarine cables;

(c) every new authorised entity having cable landing station shall seek separate permissions and clearances from the Central Government for additional submarine cable landing in India;

(d) every new authorised entity shall make necessary arrangements on its own, or through agreements with the entities providing submarine cable repair service, to ensure that such fault in submarine cable is repaired within the time limit as may be specified on the portal:

Provided that the Central Government may issue any instruction or direction to all such new authorised entities who have established cable landing station in India to form a consortium, to ensure that a cable repair ship along with the required cable repair services team is always available within the Indian territorial waters and such ship is made available for timely repair of domestic and international submarine cables;

(e) every new authorised entity shall throughout the duration of authorisation, ensure redundancy in its submarine cable system and international terrestrial cable system, through its own arrangements or by entering into agreements with other entities operating submarine cable systems with prior permission and clearances from the Central Government;

(f) if the new authorised entity has separate internet service authorisation and long distance service authorisation in a common geographical area, and intends to provide domestic leased circuit, it shall declare to the Central Government, prior to commencement of such principal telecommunication service, the authorisation under which such service shall be provided by it.

Illustration: If A, a new authorised entity having authorisation to provide long distance services in national service area, obtains internet service authorisation in Haryana and Gujarat service areas, and intends to provide domestic leased circuit, then A shall declare to the Central Government, prior to the commencement of such principal telecommunication service in Haryana and Gujarat service areas, whether A will provide domestic leased circuit services under long distance service authorisation or internet service authorisation.

(3) In addition to the technical and operating conditions under sub-rules (1) and (2), following technical and operating conditions apply to a network service operator, namely:—

(a) it shall route international long distance traffic through the international long distance gateway to or from the interconnected telecommunication network of foreign carrier;

(b) it shall not refuse to interconnect its international long distance network directly with the point of presence of another new authorised entity or licensee having authorisation or license to provide access services, where point of presence of both such entities are located at the same station;

(c) it shall for the purpose of carriage of bearer telecommunication traffic establish and provide interconnection to the new authorised entities or licensees having authorisation or license to provide national long distance services; and

(d) it shall, in its agreement with foreign carrier for provision of international long distance services, provide that the foreign carrier does not acquire users in India and does not raise bill or collect revenue to or from any user in India.

(4) In addition to the technical and operating conditions under sub-rules (1) and (2), following technical and operating conditions apply to a virtual network operator, namely:—

(a) it shall enter into contract as specified in sub-rule (2) of rule 9, to connect its telecommunication network with its parent network service operator's telecommunication network and shall provide the details of such contract or any modifications thereof to the Central Government, within seven days, as may be specified on the portal;

(b) it shall only connect its telecommunication network with the telecommunication network of parent network service operator, and any interconnection with other authorised telecommunication networks shall be undertaken only by its parent network service operator; and

(c) it may provide domestic leased circuit to its users by—

(i) connecting its telecommunication equipment to the telecommunication network of its parent network service operator; or

(ii) using the telecommunication network of its parent network service operator.

80. Security conditions.—(1) Every new authorised entity shall ensure that calling line identification is not tampered with and transit the calling line identification as received from any other new authorised entity that holds any authorisation or foreign carriers:

Provided that the new authorised entity providing international long distance services shall drop all international incoming calls with no calling line identification, improper calling line identification or spoofed calling line identification at their gateways and for identifying an improper calling line identification, ITU-T recommendations on E.164 numbering scheme shall be adhered to:

Provided further that for prevention of spoofed incoming international calls, the new authorised entity providing international long distance services shall implement the local international out roamer and central international out roamer system or any other system as may be specified on the portal:

Provided also that the new authorised entity shall ensure that all international calls, handed over by such new authorised entity to national long distance network or access services telecommunication network, should bear "Nature of Address Indicator" field in case of Common Channel Signalling System Number 7 or equivalent field in session initiation protocol or internet protocol signalling as "International Number".

(2) Every new authorised entity shall, in order to ensure conformity with sub-rule (1), ensure that any agreement with foreign carriers shall have the necessary provisions for blocking of foreign carrier in case of non-compliance with sub-rule (1).

(3) Every new authorised entity shall, at its own cost, provide specified space, with adequate and uninterrupted power supply and air-conditioning, which shall be physically secured and accessible only to the personnel authorised by the Central Government, at each international gateway location.

(4) The authorised agencies may monitor messages in relevant telecommunication equipment of the telecommunication network including the international gateway set up by a new authorised entity and such new authorised entity shall make arrangements for monitoring simultaneous calls by such agencies.

CHAPTER IX
MISCELLANEOUS

81. Breach.—(1) A breach of the terms and conditions under these rules by a new authorised entity shall constitute a breach as referred to in section 32 of the Act.

(2) The Central Government may, after due consideration of the recommendations received under clause (b) of sub-section (1) of section 32 of the Act and giving an opportunity of being heard to the new authorised entity, issue an order of suspension, revocation or curtailment of an authorisation under sub-section (2) of section 32 of the Act.

(3) Every order under sub-rule (2) shall be published by the Central Government on the portal, and be effective from the sixty-first day from the date of publishing of such order, and the new authorised entity shall give public notice of such order of curtailment, suspension or revocation within forty-eight hours of it being published on the portal:

Provided that suspension of the authorisation shall not be a cause or ground for extension of duration of the authorisation.

(4) The new authorised entity shall, on publication of an order under sub-rule (3), give every user of its principal telecommunication services at least thirty days prior notice of curtailment, suspension or revocation of its authorisation and of the options available to such users, including mobile number portability.

(5) The new authorised entity shall maintain the quality of principal telecommunication services and telecommunication network till the effective date referred to in sub-rule (3).

82. Digital implementation.— The Central Government may, in furtherance of section 53 of the Act, notify one or more portals for digital implementation of these rules, including for providing any form, manner, order, direction or guidelines to be specified under these rules.

SCHEDULE A
SERVICE AREA, PROCESSING FEE, ENTRY FEE AND INITIAL GUARANTEE FOR EACH AUTHORISATION FOR PRINCIPAL TELECOMMUNICATION SERVICES

[*See* rules 6(2)(a), 7(2)(a)(i), 15(1), 23(3)(b), 23(4)(b), 23(5)(b) and 25(3)]

Sl. No.	Category of principal telecommunication service	Service Authorisation	Service area	Processing Fee (in Rs.) per Authorisation	Entry Fee (in Rs.) per Authorisation	Initial Guarantee (in Rs.) per Authorisation
1.	Principal Telecommunication Service (network service operator)	Unified service authorisation	National service area	1 lakh	12 crores	44 crores
2.		Access service authorisation	Telecom circle or metro service area	10,000	50 lakh (25 lakh for North East and Jammu and Kashmir)	2 crores
3.		Internet service authorisation	National service area	10,000	10 lakh	4 lakh
4.		Internet service authorisation	Telecom circle or metro service area	10,000	50,000 (25,000 for North East and Jammu and Kashmir)	20,000
5.		Long distance service authorisation	National service area	10,000	1 crore	1 crore
6.	Principal Telecommunication Service (virtual network operator)	Unified service authorisation	National service area	1 lakh	3 crores	4.4 crores
7.		Access service authorisation	Telecom circle or metro service area	10,000	12.5 lakh (6.25 lakh for North East and Jammu and Kashmir)	20 lakh
8.		Wireline access service authorisation	Telecom circle or metro service area	10,000	50,000 (25,000 for North East and Jammu and Kashmir)	10,000
9.		Internet service authorisation	National service area	10,000	10 lakh	1 lakh

SI. No.	Category of principal telecommunication service	Service Authorisation	Service area	Processing Fee (in Rs.) per Authorisation	Entry Fee (in Rs.) per Authorisation	Initial Guarantee (in Rs.) per Authorisation
10.		Internet service authorisation	Telecom circle or metro service area	10,000	50,000 (25,000 for North East and Jammu and Kashmir)	10,000
11.		Long distance service authorisation	National service area	10,000	25 lakh	50 lakh

SCHEDULE B
SERVICE AREAS

[*See* rules 2(1)(aaaf), 4(b), 4(c), 4(d) and 57(4)(c)]

Sl. no.	Service Area	Area covered
1.	West Bengal Service Area	Entire area falling within the Union territory of Andaman and Nicobar Islands and area falling within the State of West Bengal and the State of Sikkim, excluding the areas covered by Kolkata Service Area.
2.	Andhra Pradesh Service Area	Entire area falling within the State of Andhra Pradesh and the State of Telangana.
3.	Assam Service Area	Entire area falling within the State of Assam.
4.	Bihar Service Area	Entire area falling within the State of Bihar and the State of Jharkhand.
5.	Gujarat Service Area	Entire area falling within the State of Gujarat and the Union territory of Daman and Diu and Dadra and Nagar Haveli.
6.	Haryana Service Area	Entire area falling within the State of Haryana except Panchkula town and the local areas served by Faridabad and Gurgaon Telephone Exchanges.
7.	Himachal Pradesh Service Area	Entire area falling within the State of Himachal Pradesh.
8.	Jammu and Kashmir Service Area	Entire area falling within the Union territory of Jammu and Kashmir and Union territory of Ladakh.
9.	Karnataka Service Area	Entire area falling within the State of Karnataka.
10.	Kerala Service Area	Entire area falling within the State of Keralam and the Union territory of Lakshadweep.
11.	Madhya Pradesh Service Area	Entire area falling within the State of Madhya Pradesh and the State of Chhattisgarh.
12.	Maharashtra Service Area	Entire area falling within the State of Maharashtra and State of Goa, excluding areas covered by Mumbai Service Area.
13.	North East Service Area	Entire area falling within the States of Arunachal Pradesh, Meghalaya, Mizoram, Nagaland, Manipur and Tripura.
14.	Orissa Service Area	Entire area falling within the State of Odisha.
15.	Punjab Service Area	Entire area falling within the State of Punjab, the Union territory of Chandigarh and Panchkula town of Haryana.
16.	Rajasthan Service Area	Entire area falling within the State of Rajasthan.

Sl. no.	Service Area	Area covered
17.	Tamil Nadu Service Area	Entire area falling within the State of Tamil Nadu and the Union territory of Puducherry.
18.	Uttar Pradesh (West) Service Area	Entire area covered by Western Uttar Pradesh with the following as its boundary districts towards Eastern Uttar Pradesh: Pilibhit, Bareilly, Badaun, Kasganj, Etah, Mainpuri, Etawah and Auraiya. It will exclude the local telephone area of Ghaziabad and Noida. Further, it will include the State of Uttarakhand.
19.	Uttar Pradesh (East) Service Area	Entire area covered by Eastern Uttar Pradesh with the following as its boundary districts towards Western Uttar Pradesh: Shahjahanpur, Kannauj, Farrukhabad, Lakhimpur, Kanpur Rural and Jalaun.
20.	Delhi Service Area	Local Areas served by Delhi, Ghaziabad, Faridabad, Noida and Gurgaon Telephone Exchanges.
21.	Kolkata Service Area	Local Areas served by Calcutta Telephones Exchanges.
22.	Mumbai Service Area	Local Areas served by Mumbai, New Mumbai and Kalyan Telephone Exchanges.

SCHEDULE C

SERVICE AREA, MINIMUM EQUITY, MINIMUM NET WORTH FOR EACH AUTHORISATION FOR PRINCIPAL TELECOMMUNICATION SERVICES

[*See* rules 5(a)(i) and 5(a)(ii)]

Sl. No.	Category of service	Service Authorisation	Service Area	Minimum Equity (in Rs.) per Authorisation	Minimum Net worth (in Rs.) per Authorisation
1.	Principal Telecommunication Services (network service operator)	Unified service authorisation	National service area	25 crores	25 crores
2.		Access service authorisation	Telecom circle or metro service area	2.5 crores	2.5 crores
3.		Internet service authorisation	National service area	10 lakh	Nil
4.		Internet service authorisation	Telecom circle or metro service area	1 lakh	Nil
5.		Long distance service authorisation	National service area	2.5 crores	2.5 crores
6.	Principal Telecommunication Service (virtual network operator)	Unified service authorisation	National service area	10 crores	10 crores
7.		Access service authorisation	Telecom circle or metro service area	1 crore	1 crore

Sl. No.	Category of service	Service Authorisation	Service Area	Minimum Equity (in Rs.) per Authorisation	Minimum Net worth (in Rs.) per Authorisation
8.		Wireline access service authorisation	Telecom circle or metro service area	1 lakh	Nil
9.		Internet service authorisation	National service area	10 lakh	Nil
10.		Internet service authorisation	Telecom circle or metro service area	1 lakh	Nil
11.		Long distance service authorisation	National service area	1 crore	1 crore

[F. No. 24-07/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.
SARVESH KUMAR SRIVASTAVA Digitally signed by SARVESH KUMAR SRIVASTAVA Date: 2026.06.24 01:31:01 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-37

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 24 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23.07.2026.

ದಿನಾಂಕ: 08.07.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Telecommunications (Radio Equipment Possession Authorisation) Rules, 2026ನ GSR 592(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 8th July, 2026

G.S.R. 592(E).— Whereas a draft of the Telecommunications (Radio Equipment Possession Authorisation) Rules, 2025 was published, as required under sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* notification number G.S.R. 154(E), dated the 27th February, 2025, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public:

And whereas, copies of the said Official Gazette were made available to the public on the 28th February, 2025:

And whereas, the comments and suggestions received in that period in respect of the said draft rules have been considered by the Central Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (a) of sub-section (2) of section 56 read with clause (c) of sub-section (1) of section 3 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Radio Equipment Possession Authorisation) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—*(1)* In these rules, unless the context otherwise requires,—

(a) "Act" means the Telecommunications Act, 2023 (44 of 2023); and

(b) "portal" means portal as referred to in rule 15.

(2) Words and expressions used in these rules and not defined herein but defined in the Act or the rules made thereunder shall have the meanings respectively assigned to them in the Act or the said rules.

3. Application.—These rules provide for the terms and conditions of authorisation to possess radio equipment.

4. Application for authorisation.—(1) A person who meets the eligibility criteria under sub-rule (2) may apply under sub-rule (3) to obtain authorisation to possess radio equipment if he intends to—

(a) deal with such radio equipment through manufacture, purchase or import for sale, let for hire, repair or testing or demonstration thereof; or

(b) import or purchase or hire radio equipment only for the purposes of testing or demonstration.

(2) A person falling in any of the following categories shall be eligible to apply for authorisation, namely:—

(a) a company or a limited liability partnership, subject to the foreign direct investment, if any, in it being in conformity with the policy issued by the Central Government from time to time in respect of foreign direct investment and applicable law;

(b) a person, including a partnership firm or sole proprietorship, who possesses a license, permit or registration under applicable law to carry on a trade or business;

(c) the Central Government or a State Government or any agency designated by Central Government or State Government for possession of radio equipment as referred to in sub-rule (1); and

(d) a person who holds a licence under the Indian Wireless Telegraphy (Possession) Rules, 1965.

(3) A person intending to obtain authorisation under these rules shall apply on the portal in such form and manner as specified in this behalf on the portal and accompanied by—

(a) such documents and information as specified therein, including information related to the make, model and quantity of radio equipment; and

(b) payment of non-refundable application fees of one thousand rupees:

Provided that where such equipment is equipment that blocks telecommunication, the person seeking authorisation in respect of the same shall, along with such application, submit the permission obtained under section 48 of the Act.

(4) Any application made for grant of a license under the Indian Wireless Telegraphy Act, 1933 (17 of 1933), prior to the date of commencement of these rules, shall lapse, if the license under the Indian Wireless Telegraphy Act, 1933 (17 of 1933) pursuant to such application had not been issued prior to the date of commencement of these rules.

(5) An applicant whose application has lapsed under sub-rule (4) may make an application under sub-rule (3) for grant of authorisation:

Provided that any fees paid at the time of making the application that has lapsed under sub-rule (4), may be reckoned towards fulfilment of any requirement under these rules as to payment of application fee, while paying the fee to the extent of shortfall, if any, after adjusting the amount paid previously.

5. Grant of authorisation.—(1) On receipt of application under rule 4, the Central Government may make such inquiry as it deems fit regarding eligibility of the applicant and, for this purpose, require the applicant to furnish such information as it may call for, and if the application is for possession of radio equipment as referred to in clause (a) of sub-rule (1) of rule 4, may undertake such security vetting as it may specify on the portal.

(2) The Central Government may,—

(a) if it is satisfied that the applicant is eligible, issue a letter of intent to such applicant through the portal, specifying the requirements to be fulfilled for obtaining authorisation, including non-refundable authorisation fees payable for the entire duration of authorisation specified in such letter, which shall be reckoned as follows, namely:—

(i) at the rate of ten thousand rupees per annum, in case the application is for possession of radio equipment as referred to in clause (a) of sub-rule (1) of rule 4;

(ii) at the rate of two thousand rupees per annum, or proportionate amounts for periods less than a year, in case the application is for possession of radio equipment as referred to in clause (b) of sub-rule (1) of rule 4, subject to minimum authorisation fees of five hundred rupees; or

(b) reject the application.

(3) On being satisfied that the requirements specified in the letter of intent are fulfilled by the applicant, including payment of authorisation fees for the entire duration of authorisation, the Central Government may grant authorisation through the portal, specifying, among other things, the following, namely:—

(a) the information relating to such radio equipment including information related to make, model and quantity of radio equipment;

(b) whether the authorisation to possess such radio equipment is granted for—

(i) dealing with it through manufacture, or purchase or import for sale, or let for hire, or repair or testing or demonstration thereof, or any combination of the aforesaid; or

(ii) importing or purchasing or hiring only for the purposes of testing or demonstration;

(c) the address at which such radio equipment shall be kept;

(d) the procedure for testing such radio equipment;

(e) the steps and procedure to be followed for demonstrating the use of such radio equipment and the circumstances in which such demonstration may be made; and

(f) the effective date and duration of authorisation.

(4) The authorised entity who holds authorisation for possession of radio equipment as referred to in clause (a) of sub-rule (1) of rule 4 may apply for modification of anything specified therein, in the form and manner specified on the portal, accompanied by payment of non-refundable application fees of one thousand rupees, and the Central Government may, after such inquiry and calling for such information as it may deem fit, grant or reject such application.

6. Duration of authorisation.— Subject to the provisions of rules 11 and 14, the duration of each authorisation granted under rule 5 shall be—

(a) at least one year and up to five years, in case it is for possession of radio equipment as referred to in clause (a) of sub-rule (1) of rule 4;

(b) up to twelve months, in case it is for possession of radio equipment as referred to in clause (b) of sub-rule (1) of rule 4.

7. Renewal.—(1) An authorised entity that holds authorisation for possession of radio equipment as referred to in clause (a) of sub-rule (1) of rule 4 may, not later than one month prior to the date of expiry of such authorisation, apply for its renewal in the form and manner specified on the portal.

(2) On receipt of a written request from an authorised entity, the Central Government may permit an application beyond the time limit specified in sub-rule (1), if it is satisfied that there was sufficient cause for not making such application within such period, subject to payment of such late fees as may be specified by the Central Government in response to such request.

(3) The Central Government may, on receipt of an application under this rule, renew the authorisation for such duration as specified under rule 6, and every such renewal shall be subject to the terms and conditions as may be specified on the portal and applicable law at the time of such renewal.

8. Conditions for giving possession of radio equipment.—(1) An authorised entity that holds authorisation for possession of radio equipment as referred to in clause (a) of sub-rule (1) of rule 4 shall give possession thereof only to a person as referred to in rule 10 or who holds an authorisation granted under these rules.

(2) An authorised entity that holds authorisation for possession of radio equipment as referred to in clause (b) of sub-rule (1) of rule 4 shall not give possession of radio equipment to any other person.

(3) Nothing in this rule shall apply to an authorised entity undertaking disposal of its radio equipment under rule 12.

9. General terms and conditions.—(1) An authorised entity who holds authorisation under these rules shall adhere to the following terms and conditions, namely:—

(a) ensure that the radio equipment is kept in secure premises and in accordance with the particulars specified in the authorisation;

(b) adhere to the eligibility criteria specified in rule 4 throughout the duration of authorisation;

(c) ensure that the radio equipment in its possession is not in contravention of any law for the time being in force, is used only for the purpose for which the authorisation has been granted and does not become a safety or health hazard;

(d) ensure that the radio equipment in its possession is in conformity with such standards as may be notified from time to time by the Central Government;

(e) in case the name, address or contact details of the authorised entity as given in the application or subsequently updated in the portal undergoes any change, inform the Central Government forthwith on the portal in the form and manner specified thereon;

(f) maintain and update the following information and documents in such manner specified on the portal and furnish the same at such times as the Central Government may require, namely:—

  (i) inventory of radio equipment in its possession;

  (ii) documents, accounts, estimates, returns and reports in respect of radio equipment in its possession; and

  (iii) any other information or document as may be specified on the portal;

(g) provide necessary facilities and support to facilitate the physical verification by the Central Government or any officer authorised by it, as required under sub-rule (2) of rule 13; and

(h) forthwith report any instance of loss, theft, loss of possession or suspected misuse of such radio equipment on the portal in such form and manner as specified thereon in this behalf.

(2) Every authorised entity shall, for any testing and demonstration of its radio equipment, adhere to the following, namely:—

(a) in respect of radio equipment which is non-radiating, or radiates power up to 100 milliwatt, it shall—

(i) ensure that such testing and demonstration does not cause interference to any telecommunication equipment, telecommunication network or telecommunication service of any other authorised entity; and

(ii) not claim protection from interference caused by any telecommunication equipment, telecommunication network or telecommunication service of any other authorised entity.

Explanation.—For the purposes of this clause, the expression "interference" means the effect of unwanted energy due to one or a combination of emissions, radiations or induction on reception in a radio communication system, manifested by any performance degradation, misinterpretation or loss of information that could have been extracted in the absence of such unwanted energy;

(b) in respect of the radio equipment which radiates power in excess of 100 milliwatt, it shall adhere to the terms and conditions of spectrum assignment obtained under applicable law.

(3) An authorised entity shall not—

(a) assign or transfer, in any manner whatsoever, directly or indirectly, in whole or in part, any authorisation granted to it; or

(b) enter into any partnership or agreement for such assignment or transfer:

Provided that such transfer or assignment of authorisation may be permitted by the Central Government on such terms and conditions as it may deem fit.

10. Possession by persons not requiring authorisation.—An authorisation under these rules shall not be required if a person—

(a) holds a licence, registration, permission, by whatever name called, under the Indian Telegraph Act, 1885 (13 of 1885) or the Indian Wireless Telegraphy Act, 1933 (17 of 1933) and continues to operate under the terms and conditions of such licence, registration or permission under sub-section (6) of section 3 of the Act;

(b) holds an authorisation under any other rule under the Act, the terms and conditions of which do not require it to obtain authorisation under clause (c) of sub-section (1) of section 3 of the Act;

(c) holds an exemption under sub-section (3) of section 3 of the Act and an exemption from the requirement of assignment under sub-section (6) of section 4 of the Act;

(d) holds an exemption, in respect of possession of radio equipment, as referred to in sub-section (4) of section 3 or sub-section (7) of section 4 of the Act;

(e) has spectrum assigned to it under sub-sections (4), (8) or (9) of section 4 of the Act;

(f) holds an Amateur Station Operator Certificate in accordance with the Telecommunications (Amateur Services) Rules, 2024;

(g) is in possession of radio equipment that can accommodate not more than four subscriber identity modules; or

(h) is a user who holds proof of subscription to a telecommunication service provided by an authorised entity.

Explanation.—For the removal of doubts, it is clarified that a person as referred to in this rule shall not manufacture, sell or let for hire the radio equipment in its possession.

11. Surrender of authorisation.—(1) An authorised entity seeking to surrender an authorisation shall submit an application, in such form and manner as specified on the portal, at least thirty days prior to the proposed date of surrender, accompanied by proof of payment of applicable dues payable by it till the date of the application, and such other information as may be specified on the portal.

(2) The Central Government may approve an application under sub-rule (1), subject to terms and conditions for disposal of the radio equipment under rule 12 and determination of dues, if any.

12. Disposal of radio equipment.—(1) On occurrence of any event as specified in column (2) of the Table below, an authorised entity shall dispose of the radio equipment in its possession within the period as specified in column (3) of the said Table:

TABLE

S. No.	Event relating to disposal	Period for disposal
(1)	(2)	(3)
1.	Expiration of authorisation on account of non-renewal.	Within three months of such expiry.
2.	Acceptance by the Central Government of an application for surrender made under rule 11.	Within two months from the date of such acceptance.
3.	If a person referred to in rule 10 ceases to be such person.	Within two months of such cessation.
4.	Suspension, curtailment or revocation of an authorisation pursuant to an order published by the Central Government on the portal under rule 14.	Within two months from the date of publishing of such order on the portal.

(2) The authorised entity may, at any time throughout the duration of authorisation, dispose of the radio equipment in its possession and maintain, update and furnish information and documents as required under clause (f) of sub-rule (1) of rule 9.

(3) The authorised entity shall dispose of the radio equipment under sub-rules (1) and (2), following such procedure as specified on the portal and shall submit the document evidencing such disposal, in such form and manner as specified thereon.

13. Powers of Central Government.—(1) The Central Government may specify on the portal the restrictions on activities relating to testing and demonstration in the restricted areas falling near the international borders of the territory of India, the Line of Control, the Line of Actual Control of India, or any other area as specified on the portal.

(2) The Central Government or any officer authorised by it may, after issuing a notice to authorised entity, carry out physical verification of the radio equipment and the premises it is located in:

Provided that no notice shall be provided to such authorised entity if the Central Government considers that immediate action is necessary or expedient in public interest.

(3) The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules, which shall constitute the terms and conditions applicable to every authorised entity.

14. Breach.—(1) A breach of the terms and conditions under these rules by an authorised entity shall constitute a breach as referred to in section 32 of the Act.

(2) The Central Government may, after due consideration of the recommendations received under clause (b) of sub-section (1) of section 32 of the Act and giving an opportunity of being heard to the authorised entity, issue an order of suspension, revocation or curtailment of an authorisation under sub-section (2) of section 32 of the Act.

(3) Every order under sub-rule (2) shall be published by the Central Government on the portal, and be effective immediately from the date of publishing of such order:

Provided that suspension of the authorisation shall not be grounds for extension of duration of such authorisation.

15. Digital implementation.—The Central Government may, in furtherance of section 53 of the Act, notify one or more portals for the digital implementation of these rules, including for providing any form, manner, order, directions or guidelines to be specified under these rules.

[F. No. 24-03/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.
SARVESH KUMAR SRIVASTAVA Digitally signed by SARVESH KUMAR SRIVASTAVA Date: 2026.07.08 23:39:21 +05'30'

R.N.I. No. KARBIL/2001/47147 POSTAL REGN. No. RNP/KA/BGS/2202/2017-19
Licensed to post without prepayment WPP No. 297

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-38

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:– ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು–೫೬೯.
P S BASAVARAJU